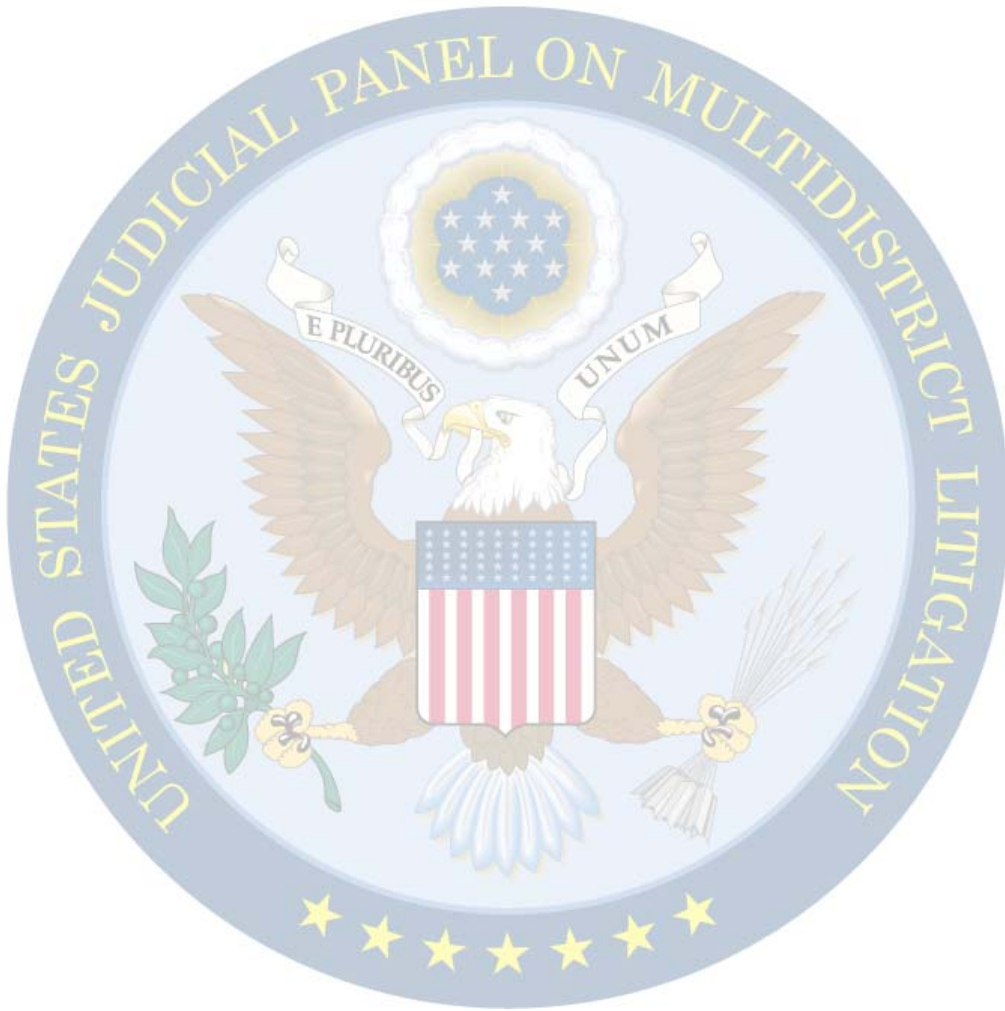


# Hearing Session Order & Amendments



January 28, 2016

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**NOTICE OF HEARING SESSION**

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **January 28, 2016**

LOCATION OF HEARING SESSION: United States Courthouse and  
Federal Building  
Courtroom 5D, 5th Floor  
2110 First Street  
Fort Myers, Florida 33901

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

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For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **January 11, 2016**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the Middle District of Florida

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**HEARING SESSION ORDER**

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on January 28, 2016, the Panel will convene a hearing session in Fort Myers, Florida, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

**PANEL ON MULTIDISTRICT LITIGATION**



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
January 28, 2016 -- Fort Myers, Florida

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

**MDL No. 2677 – IN RE: DAILY FANTASY SPORTS MARKETING AND SALES  
PRACTICES LITIGATION**

Motion, as amended, of plaintiff David White to transfer the following actions to the  
United States District Court for the Southern District of New York:

Central District of California

SPIEGEL, ET AL. v. DRAFTKINGS, INC., ET AL., C.A. No. 2:15-08142  
MARTIN v. DRAFTKINGS, INC., ET AL., C.A. No. 5:15-02167

Southern District of Florida

GOMEZ, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15-23858  
COOPER v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15-23870

Southern District of Illinois

GUARINO v. DRAFTKINGS, INC., ET AL., C.A. No. 3:15-01123

Eastern District of Louisiana

GENCHANOK v. FANDUEL, INC., ET AL., C.A. No. 2:15-05127

District of Massachusetts

HAROLDSON, ET AL. v. DRAFTKINGS INC., C.A. No. 1:15-13581  
BELTON v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15-13602

Southern District of New York

JOHNSON, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15-07963  
WEAVER, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15-08110  
WHITE v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15-08123  
BROWN v. DRAFTKINGS, INC., C.A. No. 1:15-08165  
MCDAID, ET AL. v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15-08181  
BELTON v. FANDUEL, INC., ET AL., C.A. No. 1:15-08234

**MDL No. 2678 – IN RE: DRAFTKINGS, INC., FANTASY SPORTS LITIGATION**

Motion of plaintiff Aissa Khirani to transfer the following actions to the United States District Court for the Southern District of New York and motion of plaintiffs Antonio Gomez, et al., to transfer the following actions to the United States District Court for the Southern District of Florida or, in the alternative, to the United States District Court for the Southern District of New York:

Southern District of Florida

GOMEZ, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15–23858  
COOPER v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15–23870

Southern District of Illinois

GUARINO v. DRAFTKINGS, INC., ET AL., C.A. No. 3:15–01123

Eastern District of Louisiana

GENCHANOK v. FANDUEL, INC., ET AL., C.A. No. 2:15–05127

District of Massachusetts

WICKSMAN v. DRAFTKINGS, INC., C.A. No. 1:15–13559

Southern District of New York

JOHNSON, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15–07963  
WEAVER, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15–08110  
KHRANI v. FANDUEL, INC., C.A. No. 1:15–08119  
WHITE v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15–08123  
BROWN v. DRAFTKINGS, INC., C.A. No. 1:15–08165  
MCDAID, ET AL. v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15–08181  
KHRANI v. DRAFTKINGS, INC., C.A. No. 1:15–08193

**MDL No. 2679 – IN RE: FANDUEL, INC., FANTASY SPORTS LITIGATION**

Motion of plaintiff Aissa Khirani to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of Florida

GOMEZ, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15–23858

Southern District of Illinois

GUARINO v. DRAFTKINGS, INC., ET AL., C.A. No. 3:15-01123

Eastern District of Louisiana

GENCHANOK v. FANDUEL, INC., ET AL., C.A. No. 2:15-05127

Southern District of New York

JOHNSON, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15-07963

WEAVER, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 1:15-08110

KHIRANI v. FANDUEL, INC., C.A. No. 1:15-08119

WHITE v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15-08123

MCDALD, ET AL. v. DRAFTKINGS, INC., ET AL., C.A. No. 1:15-08181

**MDL No. 2680 – IN RE: TESCO PLC SECURITIES LITIGATION**

Motion of defendant Tesco PLC to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of New York

IN RE TESCO PLC SECURITIES LITIGATION, C.A. No. 1:14-08495

BUGGS v. TESCO PLC, ET AL., C.A. No. 1:14-08696

SUNRISE SQUARE CAPITAL, LP v. TESCO PLC, ET AL., C.A. No. 1:14-09378

CHESTER COUNTY EMPLOYEES RETIREMENT FUND v. TESCO PLC, ET AL.,  
C.A. No. 1:14-09757

DAVIDSON v. TESCO PLC, ET AL., C.A. No. 1:14-09927

ALSAR LTD. PARTNERSHIP v. TESCO PLC, ET AL., C.A. No. 1:14-10020

Southern District of Ohio

WESTERN & SOUTHERN LIFE INSURANCE COMPANY, ET AL. v. TESCO  
PLC, C.A. No. 1:15-00658

**MDL No. 2681 – IN RE: WELLS FARGO INSPECTION FEE LITIGATION**

Motion of plaintiff Kenneth M. Njema to transfer the following actions to the United States District Court for the Southern District of Iowa:

Southern District of Iowa

HUYER, ET AL. v. WELLS FARGO & CO., ET AL., C.A. No. 4:08-00507

District of Minnesota

NJEMA v. WELLS FARGO BANK, N.A., C.A. No. 0:13-00519

MDL No. 2682 – **IN RE: SHUNTAY BROWN, ET AL., CIVIL RIGHTS LITIGATION**

Motion of plaintiff Shuntay A. Brown to transfer the following actions to the United States District Court for the Southern District of New York:

Eastern District of New York

STEVENS, ET AL. v. CITY OF NEW YORK, ET AL., C.A. No. 1:15-06558

Southern District of New York

BROWN v. CITY OF NEW YORK, ET AL., C.A. No. 1:15-09113

MDL No. 2683 – **IN RE: PORSCHE "CLEAN DIESEL" MARKETING,  
SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Harry Brown, Jr.; Gary Vigran; and Ross Vigran to transfer the following actions to the United States District Court for the Northern District of Georgia:

Northern District of Georgia

BROWN v. PORSCHE CARS NORTH AMERICA, INC., ET AL.,  
C.A. No. 1:15-03867

VIGRAN v. PORSCHE CARS NORTH AMERICA, INC., ET AL.,  
C.A. No. 1:15-04089

VIGRAN v. PORSCHE CARS NORTH AMERICA, INC., ET AL.,  
C.A. No. 1:15-04126

Eastern District of Louisiana

ESNEAULT v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:15-05801



MDL No. 2684 – **IN RE: CREDIT UNION CHECKING ACCOUNT OVERDRAFT  
LITIGATION**

Motion of plaintiff Martha Towner to transfer the following actions to the United States District Court for the Southern District of Illinois:

Eastern District of California

MORALEZ v. KERN SCHOOLS FEDERAL CREDIT UNION, C.A. No. 1:15-01444  
THOMAS-ORTEGA v. MERIWEST CREDIT UNION, C.A. No. 2:15-02215

District of District of Columbia

CHAMBERS v. NASA FEDERAL CREDIT UNION, C.A. No. 1:15-02013

Middle District of Florida

FRY v. MIDFLORIDA CREDIT UNION, C.A. No. 8:15-02743

Southern District of Illinois

TOWNER v. 1ST MIDAMERICA CREDIT UNION, ET AL., C.A. No. 3:15-01162

District of Maryland

KETNER v. STATE EMPLOYEES CREDIT UNION OF MARYLAND, INC.,  
C.A. No. 1:15-03594

Western District of Michigan

PINKSTON-POLING v. ADVIA CREDIT UNION, C.A. No. 1:15-01208

Western District of Missouri

BOWENS v. MAZUMA FEDERAL CREDIT UNION, ET AL.,  
C.A. No. 4:15-00758

District of Nevada

GUNTER v. UNITED FEDERAL CREDIT UNION, ET AL., C.A. No. 3:15-00483

Eastern District of New York

MCDERMOTT v. BETHPAGE FEDERAL CREDIT UNION, ET AL.,  
C.A. No. 2:15-05922

Western District of Washington

WODJA v. WASHINGTON STATE EMPLOYEES CREDIT UNION, ET AL.,  
C.A. No. 3:15-05693

MDL No. 2686 – **IN RE: UBER TECHNOLOGIES, INC., WAGE AND HOUR  
EMPLOYMENT PRACTICES LITIGATION**

Motion of plaintiffs Olasapo Ogunmokun, et al., to transfer the following actions to the  
United States District Court for the Western District of Texas:

District of Arizona

SENA v. UBER TECHNOLOGIES INCORPORATED, ET AL., C.A. No. 2:15-02418

Northern District of California

O'CONNOR, ET AL. v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 3:13-03826

District of Maryland

VARON v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 1:15-03650

Eastern District of New York

OGUNMOKUN, ET AL. v. UBER TECHNOLOGIES, INC., ET AL.,  
C.A. No. 1:15-06143

Eastern District of Pennsylvania

DINOFA v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 2:15-06121

Western District of Texas

MICHELETTI v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 5:15-01001

Western District of Washington

FISHER v. UBER TECHNOLOGIES, INC., ET AL., C.A. No. 2:15-01787

MDL No. 2687 – **IN RE: LIQUID ALUMINUM SULFATE ANTITRUST LITIGATION**

Motion of plaintiff City of Rochester, Minnesota, to transfer the following actions to the United States District Court for the District of Minnesota and motion of plaintiff Chester Water Authority to transfer the following actions to the United States District Court for the District of New Jersey:

District of Minnesota

CITY OF ROCHESTER, MINNESOTA v. HAWKINS, INC., ET AL.,  
C.A. No. 0:15-04266  
METROPOLITAN COUNCIL v. HAWKINS, INC., ET AL., C.A. No. 0:15-04303

District of New Jersey

CENTRAL ARKANSAS WATER v. REICHL, ET AL., C.A. No. 2:15-07827  
DETROIT WATER AND SEWERAGE DEPARTMENT v. REICHL, ET AL.,  
C.A. No. 2:15-07896  
CHESTER WATER AUTHORITY v. REICHL, ET AL., C.A. No. 2:15-07928  
CITY AND COUNTY OF DENVER v. GENERAL CHEMICAL PERFORMANCE  
PRODUCTS, LLC, ET AL., C.A. No. 2:15-07996  
CITY OF WINTER PARK v. GENERAL CHEMICAL CORPORATION, ET AL.,  
C.A. No. 2:15-08031  
HAZELTON CITY AUTHORITY v. REICHL, ET AL., C.A. No. 2:15-08056  
THE CITY OF CINCINNATI v. REICHL, ET AL., C.A. No. 2:15-08065  
AMERICAN EAGLE PAPER MILLS, INC. v. REICHL, ET AL., C.A. No. 2:15-08142  
OAKLAND COUNTY, MICHIGAN v. REICHL, ET AL., C.A. No. 2:15-08198  
AMREX CHEMICAL COMPANY, INC. v. REICHL, ET AL., C.A. No. 2:15-08227  
CITY OF GREENSBORO v. REICHL, ET AL., C.A. No. 2:15-08230  
CITY OF NEWARK v. REICHL, ET AL., C.A. No. 2:15-08261  
THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, ET AL. v.  
REICHL, ET AL., C.A. No. 2:15-08273  
THE CITY OF TEXARKANA, ARKANSAS, ET AL. v. REICHL, ET AL.,  
C.A. No. 2:15-08294  
CLARKSVILLE LIGHT & WATER CO. v. GENERAL CHEMICAL  
CORPORATION, ET AL., C.A. No. 2:15-08295

Eastern District of Pennsylvania

ENVIRONMENTAL RESEARCH AND DESIGN, INC., ET AL. v. GENERAL  
CHEMICAL CORPORATION, ET AL., C.A. No. 2:15-06421  
FLAMBEAU RIVER PAPERS, LLC v. REICHL, ET AL., C.A. No. 2:15-06422

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 1916 – IN RE: CHIQUITA BRANDS INTERNATIONAL, INC., ALIEN TORT  
STATUTE AND SHAREHOLDERS DERIVATIVE LITIGATION**

Opposition of defendant Carla A. Hills to transfer of the following action to the United States District Court for the Southern District of Florida:

District of District of Columbia

DOES v. HILLS, C.A. No. 1:15-01586

**MDL No. 2218 – IN RE: CAMP LEJEUNE, NORTH CAROLINA, WATER  
CONTAMINATION LITIGATION**

Opposition of plaintiff Estelle Rivera to transfer of the following action to the United States District Court for the Northern District of Georgia:

Eastern District of North Carolina

RIVERA v. UNITED STATES OF AMERICA, C.A. No. 5:15-00402

**MDL No. 2226 – IN RE: DARVOCET, DARVON AND PROPOXYPHENE PRODUCTS  
LIABILITY LITIGATION**

Opposition of defendants Endo Pharmaceuticals Holdings Inc.; Endo Pharmaceuticals Inc.; Generics International (US Parent), Inc.; Generics International (US), Inc.; Generics Bidco I, LLC; Generics Bidco II, LLC; Vintage Pharmaceuticals, LLC; Xanodyne Pharmaceuticals, Inc.; Teva Pharmaceuticals USA, Inc.; Mallinckrodt Inc.; Covidien Inc.; Watson Pharmaceuticals, Inc.; Brenn Distribution, Inc. f/k/a Propst Distribution, Inc. f/k/a Qualitest Pharmaceuticals, Inc.; Brenn Manufacturing, Inc. f/k/a Vintage Pharmaceuticals, Inc.; Mylan Inc.; Mylan Pharmaceuticals Inc.; McKesson Corporation; Cornerstone Biopharma, Inc.; Cornerstone Biopharma Holdings, LLC f/k/a Cornerstone BioPharma Holdings, Inc.; Aristos Pharmaceuticals, Inc.; AAIPharma, Inc.; AAIPharma, LLC; AAIPharma Development Services, Inc.; and Neosan Pharmaceuticals, Inc., to remand, under 28 U.S.C. § 1407(a), of the following actions to their respective transferor courts:

Eastern District of California

BOWEN, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 1:12-01906  
MITCHELL, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 1:12-01907  
BALTAZAR, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 1:12-01917

Southern District of California

DADOUSH, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02815  
GOMEZ, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02816  
SAUNDERS, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02817  
JASMIN, ET AL. v. MCKESSON CORPORATION, ET AL., C.A. No. 3:12-02820

MDL No. 2244 – **IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Richard Nutile, et al., to transfer of the following action to the  
United States District Court for the Northern District of Texas:

District of Massachusetts

NUTILE, ET AL. v. DEPUY ORTHOPAEDICS, INC., C.A. No. 1:15-12996

MDL No. 2272 – **IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY  
LITIGATION**

Opposition of defendants Zimmer, Inc.; Zimmer Biomet Holdings, Inc., f/k/a Zimmer  
Holdings, Inc.; and Zimmer Surgical, Inc., f/k/a Zimmer Orthopaedic Surgical Products, Inc., to  
transfer of the following action to the United States District Court for the Northern District of  
Illinois:

Central District of California

CASSANO v. ZIMMER, INC., ET AL., C.A. No. 2:15-05430

MDL No. 2434 – **IN RE: MIRENA IUD PRODUCTS LIABILITY LITIGATION**

Opposition of defendant Bayer HealthCare Pharmaceuticals, Inc., to transfer of the  
following action to the United States District Court for the Southern District of New York:

Northern District of Florida

LOISELLE v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:15-00369

MDL No. 2478 – **IN RE: CONVERGENT TELEPHONE CONSUMER PROTECTION  
ACT (TCPA) LITIGATION**

Opposition of defendant DISH Network L.L.C. to transfer of the following action to the  
United States District Court for the District of Connecticut:

Middle District of Georgia

COSBY v. CONVERGENT OUTSOURCING, INC., ET AL., C.A. No. 5:15–00369

MDL No. 2502 – **IN RE: LIPITOR (ATORVASTATIN CALCIUM) MARKETING,  
SALES PRACTICES AND PRODUCTS LIABILITY LITIGATION  
(NO. II)**

Oppositions of plaintiffs Pamela L. Trees and Carol Bearup, et al., to transfer of their  
respective following actions to the United States District Court for the District of South  
Carolina:

Eastern District of Michigan

TREES v. PFIZER, INC., ET AL., C.A. No. 2:15–13993

BEARUP, ET AL. v. PFIZER, INC., ET AL., C.A. No. 5:15–13995

MDL No. 2543 – **IN RE: GENERAL MOTORS LLC IGNITION SWITCH LITIGATION**

Opposition of plaintiffs John Mullin, et al., to transfer the *Mullin* action to the United  
States District Court for the Southern District of New York and motion of defendant General  
Motors LLC to transfer the *Hopkins* action to the United States District Court for the Southern  
District of New York:

Central District of California

JOHN MULLIN, ET AL. v. GENERAL MOTORS LLC, ET AL., C.A. No. 2:15–07668

District of Colorado

HOPKINS v. GENERAL MOTORS, LL., C.A. No. 1:15–02322

MDL No. 2545 – **IN RE: TESTOSTERONE REPLACEMENT THERAPY PRODUCTS  
LIABILITY LITIGATION**

Oppositions of plaintiffs Dane Maxwell, et al., and Ormayne Tompkins, et al., to transfer of their respective following actions to the United States District Court for the Northern District of Illinois:

Southern District of Mississippi

MAXWELL, ET AL. v. ABBVIE, INC., ET AL., C.A. No. 2:15–00131

Eastern District of Missouri

TOMPKINS, ET AL. v. ABBVIE, INC., ET AL., C.A. No. 4:15–01606

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY  
LITIGATION**

Oppositions of plaintiffs Jamie Barba, et al.; Susan Turley, et al.; Roberta Lawrence, et al.; Betty R. Smith, et al.; and Robert Murphy, et al., and defendant Jerome M. Kane, M.D. to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Central District of California

BARBA, ET AL. v. JANSSEN RESEARCH AND DEVELOPMENT LLC,  
ET AL., C.A. No. 8:15–01548

Eastern District of Missouri

TURLEY, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 4:15–01553  
LAWRENCE, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 4:15–01638  
SMITH, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 4:15–01671

Northern District of Texas

MURPHY, ET AL. v. JOHNSON AND JOHNSON, ET AL., C.A. No. 3:15–03590

MDL No. 2599 – **IN RE: TAKATA AIRBAG PRODUCTS LIABILITY LITIGATION**

Motion of defendant American Honda Motor Co., Inc., to transfer the following action to the United States District Court for the Southern District of Florida:

District of South Dakota

ROBERTS v. AMERICAN HONDA MOTOR CO., INC., C.A. No. 4:15–04064

MDL No. 2631 – **IN RE: ALIBABA GROUP HOLDING LIMITED SECURITIES LITIGATION**

Opposition of plaintiffs Gary Buelow, et al., to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of California

BUELOW, ET AL. v. ALIBABA GROUP HOLDING LIMITED, ET AL.,  
C.A. No. 5:15–05179

MDL No. 2639 – **IN RE: PACQUIAO–MAYWEATHER BOXING MATCH  
PAY–PER–VIEW LITIGATION**

Opposition of plaintiff Joseph Lake to transfer of the following action to the United States District Court for the Central District of California:

Eastern District of Missouri

LAKE, ET AL. v. HOME BOX OFFICE, ET AL., C.A. No. 4:15–01619

MDL No. 2641 – **IN RE: BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Bianca Fraser-Johnson, et al., to transfer of the following action to the United States District Court for the District of Arizona:

District of Delaware

FRASER–JOHNSON, ET AL. v. C. R. BARD, INC., ET AL., C.A. No. 1:15–00968



**MDL No. 2642 – IN RE: FLUOROQUINOLONE PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Don Buries, Latonya Bohannon, Frederick W. Misakian, and Jonathan Hulsh to transfer of their respective following actions to the United States District Court for the District of Minnesota:

Northern District of California

BURIES v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:15-04282  
BOHANNON v. JOHNSON & JOHNSON, ET AL., C.A. No. 3:15-04295  
MISAKIAN v. MCKESSON CORPORATION, ET AL., C.A. No. 3:15-04797  
HULSH v. BAYER HEALTHCARE PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:15-04801

**MDL No. 2645 – IN RE: KIND LLC "ALL NATURAL" LITIGATION**

Opposition of plaintiff Barry A. Cohen to transfer of the following action to the United States District Court for the Southern District of New York:

Northern District of Ohio

COHEN v. KIND LLC, C.A. No. 1:15-02196

**MDL No. 2652 – IN RE: ETHICON, INC., POWER MORCELLATOR PRODUCTS LIABILITY LITIGATION**

Oppositions of defendants Ethicon, Inc.; Ethicon Endo-Surgery, Inc.; Johnson & Johnson, Johnson & Johnson Services; Richard Wolf GmbH; Gyrus ACMI, LP; Gyrus Medical Ltd.; Olympus America, Inc.; Olympus Corporation of the Americas; Olympus Winter & IBE GmbH; Olympus Corporation; Karl Storz Endoscopy-America, Inc.; Karl Storz Endovision, Inc.; Karl Storz GmbH & Co. KG; Blue Endo; Lina Medical USA, Inc.; and Lina Medical ApS to transfer of the following action to the United States District Court for the District of Kansas:

Middle District of Pennsylvania

WARD v. ETHICON, INC., ET AL., C.A. No. 4:15-01893

**MDL No. 2656 – IN RE: DOMESTIC AIRLINE TRAVEL ANTITRUST LITIGATION**

Motion of plaintiffs Carolyn Fjord, et al., to transfer the following action to the United States District Court for the District of Columbia:

Southern District of New York

FJORD, ET AL. v. AMR CORPORATION, ET AL., Bky. Adv. No. 1:13-01392

MDL No. 2657 – **IN RE: ZOFRAN (ONDANSETRON) PRODUCTS LIABILITY  
LITIGATION**

Oppositions of plaintiffs Thomas Brown, et al., and defendant Providence Health System-Oregon to transfer of the following action to the United States District Court for the District of Massachusetts:

District of Oregon

BROWN, ET AL. v. GLAXOSMITHKLINE, LLC, ET AL., C.A. No. 3:15-01918

## RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned “Reasons Why Oral Argument Should [Need Not] Be Heard” and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

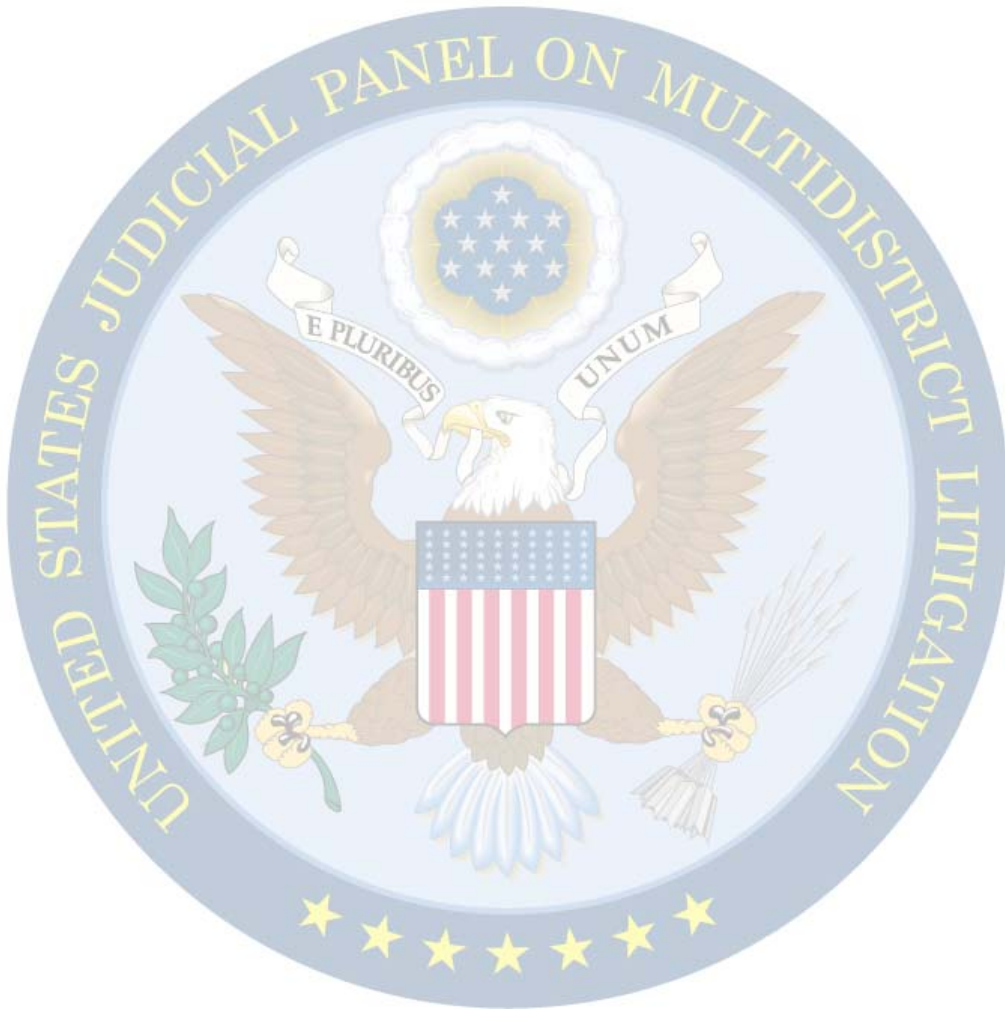
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

# Hearing Session Order & Amendments



March 31, 2016

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**FIRST AMENDMENT TO THE HEARING SESSION ORDER**  
**AND ATTACHED SCHEDULE FILED FEBRUARY 17, 2016**

IT IS ORDERED that the Hearing Session Order and attached Schedule filed by the United States Judicial Panel on Multidistrict Litigation on February 17, 2016, are amended to add the following actions on Schedule B (matters designated for consideration without oral argument) of the Schedule for the hearing session on March 31, 2016, in Santa Barbara, California.

**MDL No. 2672 - IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of California:

District of Colorado

ARMSTRONG v. VOLKSWAGEN GROUP OF AMERICA, C.A. No. 1:16-00071

Eastern District of Pennsylvania

PARKS v. VOLKSWAGEN AG, ET AL., C.A. No. 2:16-00202  
RHILE, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:16-00203  
FYLYPOVYCH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:16-00273

District of Vermont

ISRAEL, ET AL. v. VOLKSWAGEN AG, ET AL., C.A. No. 5:16-00012

FOR THE PANEL:

  
Jeffery N. Luthi  
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**NOTICE OF HEARING SESSION**

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **March 31, 2016**

LOCATION OF HEARING SESSION: United States Bankruptcy Court  
Federal Building  
Courtroom 202, 2nd Floor  
1415 State Street  
Santa Barbara, California 93101-2511

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

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For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **March 14, 2016**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:

A handwritten signature in black ink, appearing to read "Jeffery N. Lüthi", with a horizontal line extending to the right.

Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States Bankruptcy for the Cental District of California

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**HEARING SESSION ORDER**

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on March 31, 2016, the Panel will convene a hearing session in Santa Barbara, California, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.

IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

**PANEL ON MULTIDISTRICT LITIGATION**



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Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry



SCHEDULE OF MATTERS FOR HEARING SESSION  
March 31, 2016 -- Santa Barbara, California

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

**MDL No. 2688 – IN RE: WINDSOR WOOD CLAD WINDOW PRODUCTS LIABILITY LITIGATION**

Motion of plaintiff Cathy L. Ritchie to transfer the following actions to the United States District Court for the Eastern District of Wisconsin:

Northern District of Illinois

KOTY, ET AL. v. WINDSOR WINDOW COMPANY, ET AL., C.A. No. 1:15-05343

District of Minnesota

SCHILLER, ET AL. v. WINDSOR WINDOW COMPANY, ET AL.,  
C.A. No. 0:15-01932

District of South Carolina

RITCHIE v. WINDSOR WINDOW COMPANY, ET AL., C.A. No. 9:14-04734

Eastern District of Wisconsin

DAVIA, ET AL. v. WINDSOR WINDOW COMPANY, ET AL., C.A. No. 2:15-01041

**MDL No. 2689 – IN RE: WIRELESS DEVICE ('342) AND ('987) PATENT LITIGATION**

Motion of defendants Sockeye Licensing TX LLC, Wildcat Licensing LLC, and Jeffrey W. Salmon to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Illinois

HEWLETT-PACKARD COMPANY v. WILDCAT LICENSING LLC, ET AL.,  
C.A. No. 1:15-09341  
NEC CORPORATION OF AMERICA, INC. v. WILDCAT LICENSING LLC, ET AL.,  
C.A. No. 1:15-09479  
ROKU, INC. v. WILDCAT LICENSING LLC, ET AL., C.A. No. 1:15-09577

ZTE (USA), INC. v. WILDCAT LICENSING LLC, ET AL., C.A. No. 1:15-09589  
BEST BUY STORES, L.P., ET AL. v. WILDCAT LICENSING LLC, ET AL.,  
C.A. No. 1:15-09625  
SONY ELECTRONICS INC., ET AL. v. WILDCAT LICENSING LLC, ET AL.,  
C.A. No. 1:15-09628  
HTC AMERICA, INC. v. WILDCAT LICENSING LLC, ET AL., C.A. No. 1:15-09693  
LENOVO (UNITED STATES) INC. v. WILDCAT LICENSING LLC, ET AL.,  
C.A. No. 1:15-09729  
TCT MOBILE, INC. v. WILDCAT LICENSING LLC, ET AL., C.A. No. 1:15-10058  
SAMSUNG ELECTRONICS AMERICA, INC. v. SOCKEYE LICENSING TX LLC,  
ET AL., C.A. No. 1:15-10278

Western District of Texas

DELL INC. v. SOCKEYE LICENSING TX LLC, C.A. No. 1:15-00959

MDL No. 2690 – **IN RE: HIGH QUALITY PRINTING INVENTIONS, LLC, ('070)  
PATENT LITIGATION**

Motion of plaintiff High Quality Printing Inventions, LLC, to transfer the following actions  
to the United States District Court for the Northern District of Georgia:

Central District of California

HIGH QUALITY PRINTING INVENTIONS, LLC v. DIGITAL ROOM, INC.,  
C.A. No. 2:15-09170  
HIGH QUALITY PRINTING INVENTIONS LLC v. AVERY PRODUCTS  
CORPORATION, C.A. No. 8:15-01982

Northern District of California

HIGH QUALITY PRINTING INVENTIONS, LLC v. SHUTTERFLY, INC.,  
C.A. No. 5:15-05437  
HIGH QUALITY PRINTING INVENTIONS, LLC v. ZAZZLE, INC.,  
C.A. No. 5:15-05438  
HIGH QUALITY PRINTING INVENTIONS, LLC v. MINTED, LLC,  
C.A. No. 5:15-05440

District of Delaware

HIGH QUALITY PRINTING INVENTIONS, LLC v. FINESTATIONERY.COM,  
C.A. No. 1:15-01092

Middle District of Florida

HIGH QUALITY PRINTING INVENTIONS, LLC v. INVITATION  
CONSULTANTS, INC., C.A. No. 8:15-02750

Southern District of Florida

HIGH QUALITY PRINTING INVENTIONS, LLC v. OFFICE DEPOT, INC.,  
C.A. No. 9:15-81608  
HIGH QUALITY PRINTING INVENTIONS, LLC v. WORLDWIDE TICKETS AND  
LABELS, INC., C.A. No. 9:15-81609

Northern District of Georgia

HIGH QUALITY PRINTING INVENTIONS, LLC v. STAPLES, INC.,  
C.A. No. 1:15-04117

Northern District of Illinois

HIGH QUALITY PRINTING INVENTIONS, LLC v. MASTER MARKETING  
INTERNATIONAL, INC., C.A. No. 1:15-10612

District of Maryland

HIGH QUALITY PRINTING INVENTIONS, LLC v. BARTON COTTON  
AFFINITY GROUP, LLC, C.A. No. 1:15-03604

District of Massachusetts

HIGH QUALITY PRINTING INVENTIONS, LLC v. BAY STATE ENVELOPE,  
INC., C.A. No. 1:15-13961  
HIGH QUALITY PRINTING INVENTIONS, LLC v. CIMPRESS USA  
INCORPORATED, C.A. No. 1:15-13962

District of Minnesota

HIGH QUALITY PRINTING INVENTIONS, LLC v. DELUXE SMALL BUSINESS  
SALES, INC., C.A. No. 0:15-04253  
HIGH QUALITY PRINTING INVENTIONS, LLC v. HALLMARK BUSINESS  
CONNECTIONS, INC., C.A. No. 0:15-04255  
HIGH QUALITY PRINTING INVENTIONS, LLC v. 123PRINT, INC., ET AL.,  
C.A. No. 0:15-04256

Western District of Missouri

HIGH QUALITY PRINTING INVENTIONS, LLC v. POSTY CARDS, INC.,  
C.A. No. 4:15-00943

HIGH QUALITY PRINTING INVENTIONS, LLC v. GREAT FX BUSINESS  
CARDS, LLC, C.A. No. 6:15-03510

District of Montana

HIGH QUALITY PRINTING INVENTIONS, LLC v. PRINTINGFORLESS.COM,  
INC., C.A. No. 1:15-00122

District of Nevada

HIGH QUALITY PRINTING INVENTIONS, LLC v. OVERNIGHTPRINTS,  
INC., C.A. No. 2:15-02234

District of New Jersey

HIGH QUALITY PRINTING INVENTIONS, LLC v. PRUDENT PUBLISHING  
CO., INC., C.A. No. 2:15-08343

HIGH QUALITY PRINTING INVENTIONS, LLC v. ALLBUSINESSCARDS.COM,  
C.A. No. 2:15-08344

Northern District of Ohio

HIGH QUALITY PRINTING INVENTIONS, LLC v. CARDSTORE, INC.,  
C.A. No. 1:15-02417

HIGH QUALITY PRINTING INVENTIONS, LLC v. ANGSTROM GRAPHICS,  
INC. MIDWEST, C.A. No. 1:15-02418

District of Rhode Island

HIGH QUALITY PRINTING INVENTIONS, LLC v. MOO, INC., C.A. No. 1:15-00500

Northern District of Texas

HIGH QUALITY PRINTING INVENTIONS, LLC v. PRINTOGRAPH, INC.,  
C.A. No. 3:15-03795

HIGH QUALITY PRINTING INVENTIONS, LLC v. SAFEGUARD BUSINESS  
SYSTEMS, INC., C.A. No. 3:15-03796

Western District of Washington

HIGH QUALITY PRINTING INVENTIONS, LLC v. LUXE CARDS, LLC,  
C.A. No. 2:15-01858

Eastern District of Wisconsin

HIGH QUALITY PRINTING INVENTIONS, LLC v. SIMPLY TO IMPRESS,  
LLC, C.A. No. 1:15-01407

**MDL No. 2691 – IN RE: VIAGRA PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Ronnie B. Griffith; Dennis Andrews; Amador Herrera; Ron Rosenwein; Dennis McCarthy, et al.; and Joe Holley to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of Alabama

GRIFFITH v. PFIZER, INC., C.A. No. 6:15-00441

Northern District of California

ANDREWS v. PFIZER, INC., C.A. No. 3:15-04884  
HERRARA v. PFIZER, INC., C.A. No. 3:15-04888  
TOOLE v. PFIZER, INC., C.A. No. 3:15-04989  
WARREN v. PFIZER, INC., C.A. No. 3:15-05206  
NICHOLAS v. PFIZER, INC., C.A. No. 3:15-05251

District of Minnesota

WOOD v. PFIZER, INC., C.A. No. 0:15-02048

Southern District of New York

ROSENWEIN, ET AL. v. PFIZER, INC., C.A. No. 1:15-02278  
LEBLANC, ET AL. v. PFIZER, INC., C.A. No. 1:15-02650  
MCCARTHY, ET AL. v. PFIZER, INC., C.A. No. 1:15-02652  
CUSIMANO, ET AL. v. PFIZER, INC., C.A. No. 1:15-02654  
HOLLEY v. PFIZER, INC., C.A. No. 1:15-02659  
GARDINER v. PFIZER, INC., C.A. No. 1:15-03350

Middle District of North Carolina

KELLY v. PFIZER, INC., C.A. No. 1:15-00842

Western District of North Carolina

HOFFMAN v. PFIZER, INC., C.A. No. 3:15-00472

**MDL No. 2692 – IN RE: THE GREAT WEST CASUALTY COMPANY INSURANCE LITIGATION**

Motion of plaintiff David Johnson to transfer the following actions to the United States District Court for the District of Columbia:

Northern District of Illinois

JOHNSON v. GREAT WEST CASUALTY COMPANY, ET AL., C.A. No. 1:14-07858

District of Montana

GREAT WEST CASUALTY COMPANY v. WOODY'S TRUCKING, LLC,  
C.A. No. 1:15-00081

Eastern District of Tennessee

FIELDS v. GREAT WEST CASUALTY COMPANY, C.A. No. 1:15-00117

**MDL No. 2693 – IN RE: VIZIO, INC., CONSUMER PRIVACY LITIGATION**

Motion of plaintiff Daniel Levine to transfer the following actions to the United States District Court for the Central District of California and motion, as amended, of defendants Vizio, Inc.; Vizio Holdings, Inc.; Vizio Inscape Services, LLC; and Vizio Inscape Technologies, LLC to transfer the following actions to the United States District Court for the Central District of California:

Eastern District of Arkansas

OGLE, ET AL. v. VIZIO, INC., C.A. No. 4:15-00754

Central District of California

WATTS, ET AL. v. VIZIO HOLDINGS, INC., ET AL., C.A. No. 8:15-01860  
WEISS v. VIZIO, INC., C.A. No. 8:15-01984

HODGES, ET AL. v. VIZIO, INC., ET AL., C.A. No. 8:15-02090  
LEVINE v. VIZIO, INC., C.A. No. 8:15-02151  
SLOAN v. VIZIO, INC., ET AL., C.A. No. 8:15-02166  
MILEWSKI v. VIZIO HOLDINGS, INC., ET AL., C.A. No. 8:16-00156

Northern District of California

REED v. COGNITIVE MEDIA NETWORKS, INC., ET AL., C.A. No. 3:15-05217  
JEWETT, ET AL. v. VIZIO, INC., ET AL., C.A. No. 3:15-06281  
EDDY v. VIZIO, INC., ET AL., C.A. No. 3:16-00167  
ANDERSON v. VIZIO, INC., ET AL., C.A. No. 3:16-00409

Middle District of Florida

CRAIG v. VIZIO, INC., C.A. No. 5:16-00026

Southern District of Florida

DASSA, ET AL. v. VIZIO HOLDINGS, INC., ET AL., C.A. No. 9:16-80130

Northern District of Illinois

MASON v. VIZIO HOLDINGS, INC., ET AL., C.A. No. 1:15-11288

Northern District of Indiana

PAGOREK v. VIZIO, INC., ET AL., C.A. No. 2:15-00472

**MDL No. 2694 – IN RE: SHUNTAY BROWN LITIGATION (NO. II)**

Motion of plaintiff Shuntay Brown to transfer the following actions to the United States District Court for the Northern District of Illinois:

Northern District of Alabama

MAY v. SOCIAL SECURITY ADMINISTRATION, COMMISSIONER,  
C.A. No. 7:15-02297

Northern District of Illinois

BROWN v. COLVIN, C.A. No. 1:16-00200

**MDL No. 2695 – IN RE: SANTA FE NATURAL TOBACCO COMPANY MARKETING  
AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Ceyhan Haksal, et al., to transfer the following actions to the United States District Court for the District of New Mexico:

Northern District of California

BRATTAIN v. SANTA FE NATURAL TOBACCO COMPANY, INC., ET AL.,  
C.A. No. 4:15-04705

Southern District of Florida

SPROULE v. SANTA FE NATURAL TOBACCO COMPANY, INC., ET AL.,  
C.A. No. 0:15-62064

District of New Mexico

DUNN v. SANTA FE NATURAL TOBACCO COMPANY, INC., C.A. No. 1:15-01142  
HAKSAL, ET AL. v. SANTA FE NATURAL TOBACCO COMPANY, INC., ET AL.,  
C.A. No. 1:15-01163

Southern District of New York

ROTHMAN v. SANTA FE NATURAL TOBACCO COMPANY, INC., ET AL.,  
C.A. No. 7:15-08622

**MDL No. 2697 – IN RE: MONSANTO PCB WATER CONTAMINATION LITIGATION**

Motion of plaintiffs City of San Jose, City of Oakland, City of Berkeley, City of San Diego, City of Spokane, and City of Seattle to transfer the following actions to the United States District Court for the Northern District of California:

Northern District of California

CITY OF SAN JOSE v. MONSANTO COMPANY, ET AL., C.A. No. 5:15-03178  
CITY OF OAKLAND v. MONSANTO COMPANY, ET AL., C.A. No. 5:15-05152  
CITY OF BERKELEY v. MONSANTO COMPANY, ET AL., C.A. No. 5:16-00071

Southern District of California

SAN DIEGO UNIFIED PORT DISTRICT, ET AL., v. MONSANTO COMPANY,  
ET AL., C.A. No. 3:15-00578



Eastern District of Washington

CITY OF SPOKANE v. MONSANTO COMPANY, ET AL., C.A. No. 2:15-00201

Western District of Washington

CITY OF SEATTLE v. MONSANTO COMPANY, ET AL., C.A. No. 2:16-00107

MDL No. 2698 – **IN RE: HELICOPTER CRASH NEAR SAVANNAH, GEORGIA, ON  
JANUARY 15, 2014.**

Motion of plaintiffs Colette Carpenter, et al., to transfer the following actions to the United States District Court for the Southern District of Georgia:

District of Arizona

CARPENTER, ET AL. v. BAE SYSTEMS PROTECTION SYSTEMS  
INCORPORATED, ET AL., C.A. No. 2:15-01694

Central District of California

CARPENTER, ET AL. v. PROTOTYPE ENGINEERING AND MANUFACTURING,  
INC., ET AL., C.A. No. 2:14-07793

District of Connecticut

CARPENTER, ET AL. v. SIKORSKY AIRCRAFT CORPORATION, ET AL.,  
C.A. No. 3:15-01582

Northern District of Texas

CARPENTER, ET AL. v. L-3 COMMUNICATIONS INTEGRATED SYSTEMS, LP,  
C.A. No. 3:15-02438

MDL No. 2699 – **IN RE: DENTAL EQUITIES, LLC, TELEPHONE CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Motion of plaintiff Florence Mussat, M.D., S.C., to transfer the following actions to the United States District Court for the Northern District of Illinois:

Middle District of Florida

SCOMA CHIROPRACTIC, P.A. v. DENTAL EQUITIES, LLC, ET AL.,  
C.A. No. 2:16–00041

Northern District of Illinois

MUSSAT, M.D., S.C. v. SHAHMOHAMMADI, ET AL., C.A. No. 1:16–00171

MDL No. 2700 – **IN RE: GENENTECH HERCEPTIN (TRASTUZUMAB) MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Florida Cancer Specialists, P.L.; Minnesota Oncology Hematology, P.A.; North Shore Hematology-Oncology Associates, P.A.; Hematology-Oncology Associates of Central New York, P.C.; Tulsa Cancer Institute, PLLC, et al.; Tennessee Oncology, PLLC; Cancer Care Centers of South Texas, P.A.; Virginia Oncology Associates, P.C.; and Virginia Cancer Institute Incorporated to transfer the following actions to the United States District Court for the Northern District of Oklahoma:

Middle District of Florida

FLORIDA CANCER SPECIALISTS, P.L. v. GENENTECH, INC., C.A. No. 2:16–00086

District of Minnesota

MINNESOTA ONCOLOGY HEMATOLOGY, P.A. v. GENENTECH, INC.,  
C.A. No. 0:16–00245

Eastern District of New York

NORTH SHORE HEMATOLOGY–ONCOLOGY ASSOCIATES, P.C. v. GENENTECH, INC., C.A. No. 2:16–00539

Northern District of New York

HEMATOLOGY–ONCOLOGY ASSOCIATES OF CENTRAL NEW YORK, P.C. v. GENENTECH, INC., C.A. No. 5:16–00121

Northern District of Oklahoma

TULSA CANCER INSTITUTE, PLLC, ET AL. v. GENENTECH, INC.,  
C.A. No. 4:15-00157

Middle District of Tennessee

TENNESSEE ONCOLOGY, PLLC v. GENENTECH, INC., C.A. No. 3:16-00190

Western District of Texas

CANCER CARE NETWORK OF SOUTH TEXAS, P.A. v. GENENTECH, INC.,  
C.A. No. 5:16-00127

Eastern District of Virginia

VIRGINIA ONCOLOGY ASSOCIATES, P.C. v. GENENTECH, INC.,  
C.A. No. 2:16-00049  
VIRGINIA CANCER INSTITUTE INCORPORATED v. GENENTECH, INC.,  
C.A. No. 3:16-00070

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 2179 – IN RE: OIL SPILL BY THE OIL RIG "DEEPWATER HORIZON" IN  
THE GULF OF MEXICO, ON APRIL 20, 2010**

Oppositions of plaintiffs Ralph D. Brown and Jimmie Vickers to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Middle District of Florida

BROWN v. BP AMERICA PRODUCTION COMPANY, ET AL.,  
C.A. No. 8:15-02896

Southern District of Mississippi

VICKERS v. REUB & MOTTA, ATTORNEY'S AT LAW, ET AL., C.A. No. 1:16-00003

**MDL No. 2186 – IN RE: FRESH AND PROCESS POTATOES ANTITRUST  
LITIGATION**

Motion of plaintiffs Winn-Dixie Stores, Inc., et al., to transfer the following action to the United States District Court for the District of Idaho:

Middle District of Florida

WINN-DIXIE STORES, INC., ET AL. v. UNITED POTATO GROWERS OF  
AMERICA, INC., ET AL., C.A. No. 3:15-01243

**MDL No. 2197 – IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Rolla James Silkwood, et al., and Bobby Nolen Nutty, et al., and defendants Stephen Davenport, M.D. and Orthopedic Associates, Inc., to transfer of their respective following actions to the United States District Court for the Northern District of California:

Western District of Oklahoma

SILKWOOD, ET AL. v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 5:15-01373  
NUTTY, ET AL. v. DEPUY ORTHOPAEDICS, INC., ET AL., C.A. No. 5:15-01374

MDL No. 2295 – **IN RE: PORTFOLIO RECOVERY ASSOCIATES, LLC, TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Daniel Shotts to transfer of the following action to the United States District Court for the Southern District of California:

Middle District of Florida

SHOTTS v. PORTFOLIO RECOVERY ASSOCIATES, LLC, C.A. No. 2:15-00776

MDL No. 2299 – **IN RE: ACTOS (PIOGLITAZONE) PRODUCTS LIABILITY  
LITIGATION**

Opposition of plaintiff Mary Leach to transfer of the following action to the United States District Court for the Western District of Louisiana:

District of Delaware

LEACH v. TAKEDA PHARMACEUTICALS AMERICA, INC., ET AL.,  
C.A. No. 1:16-00006

MDL No. 2323 – **IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION**

Opposition of plaintiffs John Thomas J.T. Smith, et al., to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Missouri

SMITH, ET AL. v. ARIZONA CARDINALS FOOTBALL CLUB, LLC,  
C.A. No. 4:15-01903

MDL No. 2326 – **IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Tammy L. Parker; Chelsea Stewart, et al.; and Lori Hoffman to remand, under 28 U.S.C. § 1407(a), their respective following actions to their respective transferor courts:

Middle District of Tennessee

PARKER v. BOSTON SCIENTIFIC CORPORATION, C.A. No. 3:12-00294

District of Utah

STEWART, ET AL. v. BOSTON SCIENTIFIC, C.A. No. 2:12-00647  
HOFFMAN v. BOSTON SCIENTIFIC, C.A. No. 2:12-00746

MDL No. 2342 – **IN RE: ZOLOFT (SERTRALINE HYDROCHLORIDE) PRODUCTS  
LIABILITY LITIGATION**

Opposition of plaintiffs J.H., et al., to transfer of the following action to the United States  
District Court for the Eastern District of Pennsylvania:

Northern District of Illinois

J.H., ET AL. v. PFIZER, INC., ET AL., C.A. No. 1:16-00302

MDL No. 2452 – **IN RE: INCRETIN-BASED THERAPIES PRODUCTS LIABILITY  
LITIGATION**

Opposition of plaintiffs Estate of Janice McDaniel, et al., to transfer of the following action  
to the United States District Court for the Southern District of California:

District of New Jersey

ESTATE OF JANICE MCDANIEL, ET AL. v. AMYLIN PHARMACEUTICALS,  
LLC, ET AL., C.A. No. 1:15-08310

MDL No. 2587 – **IN RE: INTRAMTA SWITCHED ACCESS CHARGES LITIGATION**

Motion of plaintiffs CenturyLink Communications, LLC, et al., to transfer the following  
actions to the United States District Court for the Northern District of Texas:

District of Colorado

CENTURYLINK COMMUNICATIONS, LLC, ET AL. v. LEVEL 3  
COMMUNICATIONS, LLC, ET AL., C.A. No. 1:16-00003  
ARLINGTON TELEPHONE COMPANY, ET AL. v. LEVEL 3 COMMUNICATIONS,  
LLC, ET AL., C.A. No. 1:16-00014

Central District of Illinois

ADAMS TELEPHONE CO-OPERATIVE, ET AL. v. LEVEL 3 COMMUNICATIONS,  
LLC, ET AL., C.A. No. 3:15-03357

Western District of Kentucky

DUO COUNTY TELEPHONE COOPERATIVE CORPORATION, INC., ET AL. v.  
LEVEL 3 COMMUNICATIONS, LLC, ET AL., C.A. No. 3:15-00904

Western District of Michigan

ACE TELEPHONE COMPANY OF MICHIGAN, INC., ET AL. v. LEVEL 3  
COMMUNICATIONS, LLC, ET AL., C.A. No. 1:16-00016

Eastern District of Missouri

BIG RIVER TELEPHONE COMPANY, LLC, ET AL. v. LEVEL 3  
COMMUNICATIONS, LLC, ET AL., C.A. No. 4:16-00049

Western District of Wisconsin

UNION TELEPHONE COMPANY, ET AL. v. LEVEL 3 COMMUNICATIONS,  
LLC, ET AL., C.A. No. 3:16-00036

MDL No. 2627 – **IN RE: LUMBER LIQUIDATORS CHINESE-MANUFACTURED  
FLOORING PRODUCTS MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Stephen Benedetto to transfer of the following action to the United  
States District Court for the Eastern District of Virginia:

District of Arizona

BENEDETTO v. LUMBER LIQUIDATORS INCORPORATED, ET AL.,  
C.A. No. 2:15-02516

MDL No. 2652 – **IN RE: ETHICON, INC., POWER MORCELLATOR PRODUCTS  
LIABILITY LITIGATION**

Oppositions of plaintiff Preston O. Martin and defendants Frederick Memorial Hospital,  
Inc.; Yeung Wook Lee, M.D.; and Capital Women's Care to transfer of the following action to  
the United States District Court for the District of Kansas:

District of Maryland

MARTIN v. JOHNSON & JOHNSON, ET AL., C.A. No. 8:15-03787

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of California:

District of Connecticut

PORISS v. GENE LANGAN VOLKSWAGEN OF CONNECTICUT, INC., ET AL.,  
C.A. No. 3:15-01837

Middle District of Florida

DETTLOFF v. LOKEY OLDSMOBILE, INC., ET AL., C.A. No. 8:15-02885

Western District of Kentucky

BYNUM v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:15-00810

Southern District of Mississippi

F. GERALD MAPLES, P.A. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 3:16-00001  
MARTIN v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 3:16-00002

Eastern District of Missouri

BUNTIN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 4:15-01892

District of Montana

BALLEW v. VW CREDIT, C.A. No. 9:15-00133  
GEBAUER, ET AL. v. JPMORGAN CHASE BANK, N.A., ET AL.,  
C.A. No. 9:15-00152

District of New Mexico

LEVY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:15-01179



Eastern District of Pennsylvania

KOGAN v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:15-06681

Western District of Washington

BURR v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:16-00073

## RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned “Reasons Why Oral Argument Should [Need Not] Be Heard” and shall be limited to 2 pages.

- (i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

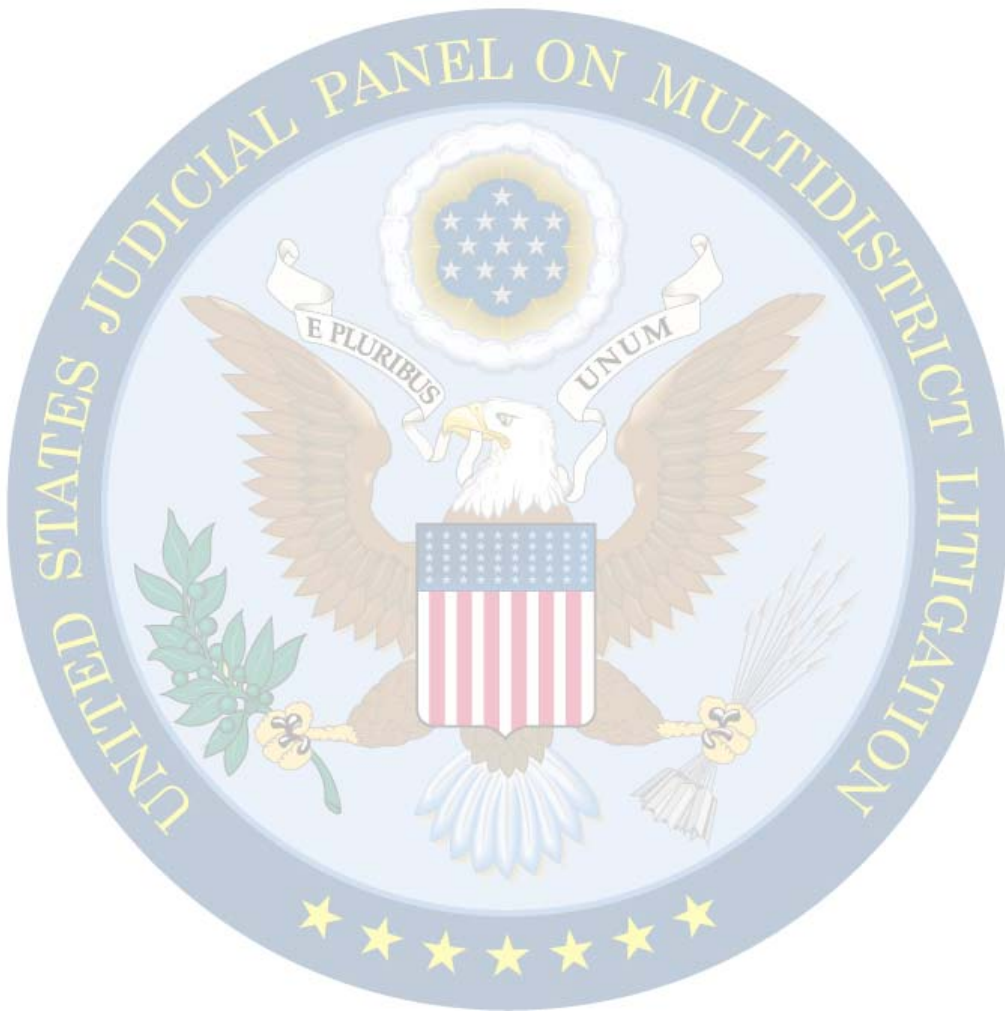
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

# Hearing Session Order & Amendments



May 26, 2016

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**NOTICE OF HEARING SESSION**

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **May 26, 2016**

LOCATION OF HEARING SESSION: Everett McKinley Dirksen  
United States Courthouse  
Courtroom No. 2525, 25th Floor  
219 South Dearborn Street  
Chicago, Illinois 60604

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

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For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **May 9, 2016**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the Northern District of Illinois

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**HEARING SESSION ORDER**

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on May 26, 2016, the Panel will convene a hearing session in Chicago, Illinois, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.


IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION

  
\_\_\_\_\_  
Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
May 26, 2016 -- Chicago, Illinois

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

**MDL No. 2704 – IN RE: INTEREST RATE SWAPS ANTITRUST LITIGATION**

Motion of plaintiffs Public School Teachers' Pension and Retirement Fund of Chicago, et al., to transfer the following actions to the United States District Court for the Southern District of New York:

Northern District of Illinois

HARRISON COUNTY, MISSISSIPPI, ET AL. v. BANK OF AMERICA  
CORPORATION, ET AL., C.A. No. 1:16-02382

Southern District of New York

PUBLIC SCHOOL TEACHERS' PENSION AND RETIREMENT FUND OF  
CHICAGO v. BANK OF AMERICA CORPORATION, ET AL.,  
C.A. No. 1:15-09319

**MDL No. 2705 – IN RE: 100% GRATED PARMESAN CHEESE MARKETING AND  
SALES PRACTICES LITIGATION**

Motion of plaintiffs Richard Evans, Taniesha Harwell, Michael Greene, Jose Brown, Dallas Moreno, Debra Jackson, Andrew Mateki, and Beverly Schulze to transfer the following actions to the United States District Court for the Eastern District of Missouri:

Central District of California

BUSTAMANTE, ET AL. v. WAL-MART STORES, INC., ET AL.,  
C.A. No. 2:16-01265

Northern District of California

LEWIN v. KRAFT HEINZ FOODS COMPANY, C.A. No. 3:16-00823

Northern District of Florida

BROWN v. WAL-MART STORES, INC., C.A. No. 1:16-00050  
GREENE v. KRAFT HEINZ FOOD COMPANY, C.A. No. 3:16-00077

Northern District of Illinois

AVERHART v. KRAFT HEINZ FOODS COMPANY, C.A. No. 1:16-02626

Southern District of Illinois

SCHULZE v. WAL-MART STORES, INC., C.A. No. 3:16-00208  
MATECKI v. KRAFT HEINZ FOOD COMPANY, C.A. No. 3:16-00209

District of Minnesota

JACKSON v. WAL-MART STORES, INC., C.A. No. 0:16-00498  
MORENO v. KRAFT HEINZ FOODS COMPANY, C.A. No. 0:16-00499

Eastern District of Missouri

EVANS v. KRAFT HEINZ FOOD COMPANY, C.A. No. 4:16-00257  
HARWELL v. WAL-MART STORES, INC., C.A. No. 4:16-00265

Eastern District of New York

ADER, ET AL. v. KRAFT HEINZ FOODS COMPANY, C.A. No. 2:16-00963

Southern District of New York

MOSCHETTA v. WAL-MART STORES, INC., C.A. No. 7:16-01377

MDL No. 2706 – **IN RE: CORDARONE (AMIODARONE HYDROCHLORIDE)  
MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

Motion of plaintiff Heather Moore Cook to transfer the following actions to the United States District Court for the Western District of Texas:

Northern District of Alabama

ALLAIN v. WYETH-AYERST LABORATORIES, INC., ET AL.,  
C.A. No. 2:14-00280



COOK v. WYETH PHARMACEUTICALS, INC., ET AL., C.A. No. 2:15-00529

Northern District of California

COLLETTE v. WYETH PHARMACEUTICALS, INC., ET AL.,  
C.A. No. 3:16-01034

Northern District of Illinois

HERNANDEZ v. WYETH-AYERST LABORATORIES, INC., ET AL.,  
C.A. No. 1:15-11176

Eastern District of Kentucky

MOORE v. WYETH-AYERST LABORATORIES, INC., ET AL.,  
C.A. No. 3:16-00017

Eastern District of North Carolina

PERDUE v. WYETH PHARMACEUTICALS, INC., ET AL., C.A. No. 4:15-00208

Western District of Texas

RUSK, ET AL. v. SANDOZ INC., C.A. No. 1:14-00549  
PRIEST v. SANDOZ INC., C.A. No. 1:15-00822

Western District of Wisconsin

MARVIN, ET AL. v. SANDOZ INCORPORATED, ET AL., C.A. No. 3:15-00749

**MDL No. 2707 - IN RE: KRAFT 100% GRATED PARMESAN CHEESE MARKETING  
AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Rosemary Quinn, et al., to transfer the following actions to the  
United States District Court for the Southern District of New York:

Northern District of California

LEWIN v. KRAFT HEINZ FOODS COMPANY, C.A. No. 3:16-00823

Northern District of Florida

GREENE v. KRAFT HEINZ FOOD COMPANY, C.A. No. 3:16-00077

Northern District of Illinois

AVERHART v. KRAFT HEINZ FOODS COMPANY, C.A. No. 1:16-02626  
HECHMER, ET AL. v. KRAFT HEINZ FOODS COMPANY, ET AL.,  
C.A. No. 1:16-02687

Southern District of Illinois

MATECKI v. KRAFT HEINZ FOOD COMPANY, C.A. No. 3:16-00209

District of Minnesota

MORENO v. KRAFT HEINZ FOODS COMPANY, C.A. No. 0:16-00499

Eastern District of Missouri

EVANS v. KRAFT HEINZ FOOD COMPANY, C.A. No. 4:16-00257

Eastern District of New York

ADER, ET AL. v. KRAFT HEINZ FOODS COMPANY, C.A. No. 2:16-00963

Southern District of New York

QUINN, ET AL. v. THE KRAFT HEINZ COMPANY, C.A. No. 7:16-01471

**MDL No. 2708 - IN RE: WAL-MART GREAT VALUE 100% GRATED PARMESAN  
CHEESE MARKETING AND SALES PRACTICES LITIGATION**

Motion of plaintiffs Alan Ducorsky, et al., to transfer the following actions to the United States District Court for the Southern District of New York:

Central District of California

BUSTAMANTE, ET AL. v. WAL-MART STORES, INC., ET AL.,  
C.A. No. 2:16-01265

Northern District of Florida

BROWN v. WAL-MART STORES, INC., C.A. No. 1:16-00050

Northern District of Illinois

HECHMER, ET AL. v. KRAFT HEINZ FOODS COMPANY, ET AL.,  
C.A. No. 1:16-02687

Southern District of Illinois

SCHULZE v. WAL-MART STORES, INC., C.A. No. 3:16-00208

District of Minnesota

JACKSON v. WAL-MART STORES, INC., C.A. No. 0:16-00498

Eastern District of Missouri

HARWELL v. WAL-MART STORES, INC., C.A. No. 4:16-00265

Southern District of New York

MOSCHETTA v. WAL-MART STORES, INC., C.A. No. 7:16-01377  
DUCORSKY, ET AL. v. WAL-MART STORES, INC., C.A. No. 7:16-01571

**MDL No. 2709 – IN RE: DOLLAR GENERAL CORP. MOTOR OIL MARKETING AND  
SALES PRACTICES LITIGATION**

Motion of defendants Dollar General Corporation; Dolgencorp, LLC; and DG Retail, LLC to transfer the following actions to the United States District Court for the Eastern District of Michigan, or in the alternative, to the United States District Court for the Western District of Missouri or the United States District Court for the Southern District of Florida:

Western District of Arkansas

WAIT v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 5:16-05036

Central District of California

VEGA v. DOLGENCORP LLC, C.A. No. 5:16-00242

District of Colorado

BROWN v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 1:16-00310

Southern District of Florida

BARFOOT, ET AL. v. DOLGENCORP, LLC, C.A. No. 1:15-24662

Northern District of Illinois

SOLIS v. DOLLAR GENERAL, ET AL., C.A. No. 1:16-02196

District of Kansas

MEYER v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 2:16-02091

Eastern District of Kentucky

FOPPE v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 2:16-00026

District of Maryland

MCCORMICK v. DOLGENCORP, LLC, C.A. No. 1:15-03939

Eastern District of Michigan

GOOEL v. DOLGENCORP, LLC, C.A. No. 2:16-10439

District of Minnesota

SHEEHY v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 0:16-00319

Western District of Missouri

OREN v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 4:16-00105

District of Nebraska

HARVEY v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 8:16-00072

District of New Jersey

FLINN v. DOLGENCORP, LLC, C.A. No. 1:15-08713

Southern District of New York

GADSON v. DOLGENCORP, LLC, C.A. No. 1:16-00952

Southern District of Ohio

FRUHLING v. DOLLAR GENERAL CORPORATION, ET AL., C.A. No. 1:16-00300

Northern District of Oklahoma

SISEMORE v. DOLGENCORP, LLC, C.A. No. 4:15-00724

Southern District of Texas

DECK v. DOLLAR GENERAL CORPORATION, C.A. No. 4:15-03680

District of Vermont

HILL v. DOLGENCORP, LLC, C.A. No. 2:16-00026

**MDL No. 2710 – IN RE: COMCAST CORP. WAGE AND HOUR EMPLOYMENT  
PRACTICES LITIGATION**

Motion of plaintiffs to transfer the following actions to the United States District Court  
for the Northern District of California:

Central District of California

ZIMMERMAN, ET AL. v. COMCAST CABLE COMMUNICATIONS  
MANAGEMENT, LLC, ET AL., C.A. No. 2:15-08224

Eastern District of California

LANDIN, JR., ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 1:15-01416  
HALL v. COMCAST OF CONTRA COSTA, INC., ET AL., C.A. No. 1:15-01484  
FLORES, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 1:15-01521  
DAVIS, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 1:15-01544  
GRIMES, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 1:15-01596  
MCBRIDE, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 2:15-01965

ELKINS, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 2:15-02075  
PAEZ, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 2:15-02149  
COOK, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 2:15-02152  
HUFFMAN, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 2:15-02186

Northern District of California

CANADAY, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04648  
ORTEGA, JR., ET AL. v. COMCAST, ET AL., C.A. No. 4:15-04676  
WILLIAMS, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04732  
VALENCIA, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04771  
COLEMAN, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04782  
NELSON, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04793  
DUBOIS, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04809  
PETERS, ET AL. v. COMCAST CORPORATION, ET AL., C.A. No. 4:15-04869

**MDL No. 2711 – IN RE: TRADER JOE'S COMPANY TUNA MARKETING AND SALES  
PRACTICES LITIGATION**

Motion of plaintiff Kathy Aliano to transfer the following actions to the United States District Court for the Central District of California or in the alternative, to the United States District Court for the Northern District of Illinois:

Central District of California

JOSEPH v. TRADER JOES COMPANY, C.A. No. 2:16-01371

Northern District of Illinois

ALIANO v. TRADER JOE'S COMPANY, C.A. No. 1:16-02623

Southern District of New York

MAGIER, ET AL. v. TRADER JOE'S COMPANY, ET AL., C.A. No. 1:16-00043

MDL No. 2712 – **IN RE: AIR CRASH OVER THE SOUTHERN INDIAN OCEAN, ON  
MARCH 8, 2014**

Motion of defendants Malaysian Airline System Berhad and Malaysia Airlines Berhad to transfer the following actions to the United States District Court for the Northern District of Illinois:

Central District of California

ZHANG, ET AL. v. MALAYSIA AIRLINES BERHAD, ET AL., C.A. No. 2:16-01549

District of District of Columbia

WOOD v. MALAYSIA AIRLINES BERHAD, ET AL., C.A. No. 1:16-00053  
GASPARD v. MALAYSIA AIRLINES BERHAD, ET AL., C.A. No. 1:16-00419  
SMITH v. MALAYSIA AIRLINES BERHAD, ET AL., C.A. No. 1:16-00439

Northern District of Illinois

GANGULI v. MALAYSIA AIRLINES BERHAD, ET AL., C.A. No. 1:15-11832

Southern District of New York

RIES v. MALAYSIAN AIRLINE SYSTEM BERHAD, C.A. No. 1:16-00690  
HUANG, ET AL. v. MALAYSIA AIRLINES BERHAD, ET AL., C.A. No. 1:16-00890  
KANAN, ET AL. v. MALAYSIA AIRLINES SYSTEM BERHAD, ET AL.,  
C.A. No. 1:16-01728

MDL No. 2713 – **IN RE: FEDERAL HOUSING FINANCE AGENCY, ET AL.,  
PREFERRED STOCK PURCHASE AGREEMENTS THIRD  
AMENDMENT LITIGATION**

Motion of defendant Federal Housing Finance Agency to transfer the following actions to the United States District Court for the District of Columbia:

District of Delaware

JACOBS, ET AL. v. FEDERAL HOUSING FINANCE AGENCY, ET AL.,  
C.A. No. 1:15-00708

Northern District of Illinois

ROBERTS, ET AL. v. FEDERAL HOUSING FINANCE AGENCY, ET AL.,  
C.A. No. 1:16-02107

Northern District of Iowa

SAXTON, ET AL. v. FEDERAL HOUSING FINANCE AGENCY, ET AL.,  
C.A. No. 1:15-00047

Eastern District of Kentucky

ROBINSON v. FEDERAL HOUSING FINANCE AGENCY, ET AL.,  
C.A. No. 7:15-00109

MDL No. 2714 – **IN RE: L-3 COMMUNICATIONS EOTECH HOLOGRAPHIC  
WEAPON SIGHTS MARKETING AND SALES PRACTICES  
LITIGATION**

Motion of plaintiffs Timothy Braginton, et al., to transfer the following actions to the  
United States District Court for the Eastern District of Michigan:

Eastern District of Michigan

PITTMAN v. L-3 COMMUNICATIONS EOTECH, INC., ET AL.,  
C.A. No. 2:16-11051  
BRAGINTON, ET AL. v. L-3 COMMUNICATIONS EOTECH, INC., ET AL.,  
C.A. No. 2:16-11053

Western District of Missouri

FOSTER v. L-3 COMMUNICATIONS EOTECH, INC., ET AL., C.A. No. 6:15-03519  
ROLFES, ET AL. v. L-3 COMMUNICATIONS EOTECH, INC., ET AL.,  
C.A. No. 4:16-00095



MDL No. 2715 – **IN RE: FRESH DAIRY PRODUCTS ANTITRUST LITIGATION  
(NO. III)**

Motion of plaintiffs Winn-Dixie Stores, Inc., et al., to transfer the following actions to the United States District Court for the Southern District of Illinois:

Middle District of Florida

WINN-DIXIE STORES, INC., ET AL. v. SOUTHEAST MILK, INC., ET AL.,  
C.A. No. 3:15-01143

Southern District of Illinois

FIRST IMPRESSIONS SALON, INC. v. NATIONAL MILK PRODUCERS  
FEDERATION, ET AL., C.A. No. 3:13-00454  
BELLE FOODS TRUST, ET AL. v. NATIONAL MILK PRODUCERS  
FEDERATION, ET AL., C.A. No. 3:14-01014  
PIGGLY WIGGLY MIDWEST, LLC, ET AL. v. NATIONAL MILK PRODUCERS  
FEDERATION, ET AL., C.A. No. 3:15-00750

MDL No. 2716 – **IN RE: CREDIT PROTECTION ASSOCIATION, L.P., TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Motion of defendant Credit Protection Association, L.P., to transfer the following actions to the United States District Court for the Northern District of Texas:

District of Arizona

HERMANSON v. CREDIT PROTECTION ASSOCIATION LP, C.A. No. 2:15-02049

Middle District of Florida

BLOUNT, ET AL. v. CREDIT PROTECTION ASSOCIATION, LP,  
C.A. No. 8:15-01309  
RUSSO, ET AL. v. CREDIT PROTECTION ASSOCIATION, LP,  
C.A. No. 8:15-02636  
MONTANEZ, ET AL. v. CREDIT PROTECTION ASSOCIATION, LP,  
C.A. No. 8:16-00267

Southern District of Florida

ALANIA v. CREDIT PROTECTION ASSOCIATION, LP, C.A. No. 1:16-21072

Northern District of Texas

ADAMS, ET AL. v. CREDIT PROTECTION ASSOCIATION LP,  
C.A. No. 3:15-03239  
WATSON, ET AL. v. CREDIT PROTECTION ASSOCIATION LP,  
C.A. No. 3:16-00064

Southern District of Texas

MORRIS, ET AL. v. CREDIT PROTECTION ASSOCIATION, LP,  
C.A. No. 3:15-00154

MDL No. 2717 - **IN RE: ENHANCED RECOVERY COMPANY, LLC, TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION (NO. II)**

Motion of Plaintiff Sherryl Medina to transfer the following actions to the United States  
District Court for the Central District of California:

Central District of California

ALLEN v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 5:15-00806  
WILLIAMS v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 8:15-00265

Eastern District of California

COOK v. ENHANCED RECOVERY COMPANY, C.A. No. 2:16-00248

Southern District of Florida

MEDINA v. ENHANCED RECOVERY COMPANY, LLC, C.A. No. 2:15-14342

MDL No. 2718 - **IN RE: QUAKER OATS MAPLE & BROWN SUGAR INSTANT  
OATMEAL MARKETING AND SALES PRACTICES LITIGATION**

Motion of Plaintiff Mario Aliano to transfer the following actions to the United States  
District Court for the Northern District of Illinois:

Central District of California

EISENLORD v. THE QUAKER OATS COMPANY, ET AL., C.A. No. 2:16-01442

Northern District of Illinois

ALIANO v. THE QUAKER OATS COMPANY, C.A. No. 1:16-03087

District of New Jersey

GATES v. THE QUAKER OATS COMPANY, C.A. No. 1:16-01944

**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 1446 – IN RE: ENRON CORP. SECURITIES, DERIVATIVE & "ERISA" LITIGATION**

Motion of plaintiffs Silvercreek Management, Inc., et al., to remand, under 28 U.S.C. § 1407(a), the following action to the United States District Court for the Southern District New York:

Southern District of New York

SILVERCREEK MGT, INC., ET AL. v. CITIGROUP INC., ET AL.,  
C.A. No. 1:02-08881

**MDL No. 1880 – IN RE: PAPST LICENSING DIGITAL CAMERA PATENT LITIGATION**

Motions of defendants Samsung Electronics America, Inc.; Samsung Electronics Co. Ltd.; Lenovo (United States) Inc.; Motorola Mobility LLC; Huawei Technologies Co., Ltd.; Huawei Technologies USA, Inc.; LG Electronics, Inc.; LG Electronics U.S.A., Inc.; and LG Electronics Mobilecomm U.S.A., Inc., to transfer their respective following actions to the United States District Court for the District of Columbia:

Eastern District of Texas

PAPST LICENSING GMBH & CO., KG v. LG ELECTRONICS, INC., ET AL.,  
C.A. No. 6:15-01099  
PAPST LICENSING GMBH & CO., KG v. SAMSUNG ELECTRONICS CO. LTD.,  
ET AL., C.A. No. 6:15-01102  
PAPST LICENSING GMBH & CO., KG v. LENOVO (UNITED STATES), INC.,  
ET AL., C.A. No. 6:15-01111  
PAPST LICENSING GMBH & CO., KG v. HUAWEI TECHNOLOGIES CO., LTD.,  
ET AL., C.A. No. 6:15-01115

**MDL No. 2063 – IN RE: OPPENHEIMER ROCHESTER FUNDS GROUP SECURITIES  
LITIGATION**

Motion of defendants OppenheimerFunds, Inc.; OppenheimerFunds Distributor, Inc.; Scott Cottier; Ronald H. Fielding; Daniel G. Loughran; John V. Murphy; Troy E. Willis; Brian W. Wixted; MassMutual Life Insurance Co.; the Oppenheimer California Municipal Fund; David K. Downes; Matthew P. Fink; Robert G. Galli; Phillip A. Griffiths; Mary F. Miller; Joel W. Motley; Kenneth A. Randall; Russell S. Reynolds, Jr.; Joseph M. Wikler; Peter I. Wold; Brian F. Wruble; and Clayton K. Yeutter to remand, under 28 U.S.C. § 1407(a), the following actions to the United States District Court for the Northern District California:

Northern District of California

RIVERA v. OPPENHEIMER CALIFORNIA MUNICIPAL FUND, ET AL.,  
C.A. No. 3:09–00567  
TACKMANN v. OPPENHEIMERFUNDS, INC., ET AL., C.A. No. 3:09–01184  
LOWE v. OPPENHEIMER CALIFORNIA MUNICIPAL FUND, ET AL.,  
C.A. No. 3:09–01243  
MILHEM v. OPPENHEIMER CALIFORNIA MUNICIPAL FUND, ET AL.,  
C.A. No. 3:09–01414

**MDL No. 2151 – IN RE: TOYOTA MOTOR CORP. UNINTENDED ACCELERATION  
MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY  
LITIGATION**

Opposition of plaintiff Joyce Richard to transfer of the following action to the United States District Court for the Central District of California:

Southern District of Indiana

RICHARD v. TOYOTA MOTOR CORPORATION, ET AL., C.A. No. 1:15–01931

**MDL No. 2159 – IN RE: AUTOZONE, INC., WAGE AND HOUR EMPLOYMENT  
PRACTICES LITIGATION**

Opposition of plaintiff Jesus Lozacruz to transfer of the following action to the United States District Court for the Northern District of California:

Central District of California

LOZACRUZ v. AUTOZONERS LLC, C.A. No. 8:16–00049

MDL No. 2197 – **IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Adrian Thomas to transfer of the following action to the United States District Court for the Northern District of Ohio:

Middle District of Pennsylvania

THOMAS v. DEPUY ORTHOPAEDICS, INC., C.A. No. 1:16-00474

MDL No. 2326 – **IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION**

Motion of defendant Boston Scientific Corporation to transfer the following action to the United States District Court for the Southern District of West Virginia:

Southern District of Texas

SALDIERNA v. BOSTON SCIENTIFIC CORPORATION, C.A. No. 4:16-00329

MDL No. 2428 – **IN RE: FRESenius GRANUFLO/NATURALYTE DIALYSATE  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff State of Louisiana to transfer of the following action to the United States District Court for the District of Massachusetts:

Middle District of Louisiana

STATE OF LOUISIANA v. FRESenius MEDICAL CARE AIRLINE, ET AL.,  
C.A. No. 3:16-00151

MDL No. 2493 – **IN RE: MONITRONICS INTERNATIONAL, INC., TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Michael C. Worsham to transfer of the *Worsham* action to the United States District Court for the Northern District of West Virginia and motion of defendants Alarm.com Incorporated and Alarm.com Holdings, Inc., to transfer the *Abante Rooter and Plumbing, Inc.*, action to the United States District Court for the Northern District of West Virginia:

Northern District of California

ABANTE ROOTER AND PLUMBING, INC., ET AL. v. ALARM.COM  
INCORPORATED, ET AL., C.A. No. 4:15-06314

District of Maryland

WORSHAM v. MONITRONICS INTERNATIONAL, INC., ET AL.,  
C.A. No. 1:16-00600

MDL No. 2543 – **IN RE: GENERAL MOTORS LLC IGNITION SWITCH LITIGATION**

Oppositions of plaintiffs Debra Byrd, et al., and defendants Range Resources-Appalachia, LLC; Range Resources-Pine Mountain, Inc.; Pennsylvania Department of Transportation; Keith Shidemantle; Springboro Area Water Authority; Borough of Springboro; National Fuel Company; National Fuel Gas Corporation; National Fuel Gas Distribution Corporation; and National Fuel Gas Supply Corporation to transfer of the following action to the United States District Court for the Southern District of New York:

Western District of Pennsylvania

BYRD, ET AL. v. CHUPP'S COUNTRY CUPBOARD, ET AL., C.A. No. 2:16-00316

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs Lucille Goodlett Morris, et al.; Gary Mosbacher, et al.; and Mirna Aponte to transfer of their respective following actions to the United States District Court for the Eastern District of Louisiana:

Eastern District of Kentucky

MORRIS, ET AL. v. BLAKE, ET AL., C.A. No. 5:16-00081

Eastern District of Missouri

MOSBACHER, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC,  
ET AL., C.A. No. 4:16-00232

Southern District of New York

APONTE v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 1:16-01088

**MDL No. 2617 – IN RE: ANTHEM, INC., CUSTOMER DATA SECURITY BREACH  
LITIGATION**

Opposition of plaintiff Simon Kaufman to transfer of the following action to the United States District Court for the Northern District of California:

Western District of Washington

KAUFMAN v. AMERIGROUP WASHINGTON, INC., ET AL., C.A. No. 2:16-00306

**MDL No. 2672 – IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of California:

Northern District of Alabama

MARINO v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:16-00280

BENSON v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 5:16-00169

SUMMERS v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 7:16-00168

Southern District of Alabama

CHADWICK v. VOLKSWAGON GROUP OF AMERICA, INC., C.A. No. 1:16-00042

WAGNER v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 1:16-00069

SCHARWATH v. VOLKSWAGEN GROUP OF AMERICA, INC.,

C.A. No. 1:16-00073

Central District of California

JOHN MAHAN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,

C.A. No. 2:16-01970

CHRIS PARKS v. PORSCHE CARS NORTH AMERICA, INC., C.A. No. 2:16-02036

District of Connecticut

SPRINGSTED, ET AL. v. VALENTI MOTORS, INC., ET AL., C.A. No. 3:16-00214

Eastern District of Louisiana

MCGOWAN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,

C.A. No. 2:16-02377



District of Minnesota

ARGUELLO, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 0:16-00211  
GUNDERSON v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 0:16-00213  
WERNER, ET AL. v. EICH MOTOR COMPANY, INC., ET AL., C.A. No. 0:16-00396  
BUFFINGTON, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 0:16-00666  
WILLETT v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 0:16-00727  
STICHA v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 0:16-00738  
DAVIS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00748  
DETERMAN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00749  
EDENS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00750  
HINDERSCHIED v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00751  
HISE v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00752  
MEYER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00753  
LESSARD v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00754  
NYMAN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00755  
SCHAFBUCH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00756  
THUFTIN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00757  
WITTENBERG v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00758  
TIANO v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00759  
WEEKES v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-00760

Eastern District of Missouri

FULLER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 4:16-00106

District of New Jersey

HOFFMAN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:16-01670

District of New Mexico

STATE OF NEW MEXICO, ET AL. v. VOLKSWAGEN GROUP OF AMERICA,  
INC., ET AL., C.A. No. 1:16-00147

Middle District of North Carolina

HIGGINS v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 1:16-00078

District of Oregon

FREEMAN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA,  
C.A. No. 1:16-00363  
EASLEY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 2:16-00365  
WRIGHT, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 3:16-00366  
ALLEN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 6:16-00360  
FLYNN, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 6:16-00361  
ALEXANDER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 6:16-00367

Eastern District of Pennsylvania

LAWRENCE v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 5:16-00694  
BOWERS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 5:16-00727

Western District of Texas

BANDA, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-00255  
MARTINEZ v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 5:16-00056

Western District of Washington

POPE v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:16-00146  
CALL v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:16-00158

MDL No. 2677 – **IN RE: DAILY FANTASY SPORTS LITIGATION**

Opposition of plaintiffs Samuel Lahoff and Michael DeGroot to transfer of the *Lahoff* and *DeGroot* actions to the United States District Court for the District of Massachusetts and motions of defendant FanDuel, Inc., to transfer the *Delgado*, *Leung*, and *Fischler* actions to the United States District Court for the District of Massachusetts:

Central District of California

DELGADO, ET AL. v. FANDUEL, INC., ET AL., C.A. No. 2:15-09907  
LEUNG v. FANDUEL, INC., C.A. No. 5:15-00835

District of New Mexico

LAHOFF v. FANDUEL, INC., C.A. No. 1:15-01134  
DEGROOT v. DRAFTKINGS, INC., C.A. No. 2:15-01122

Southern District of New York

FISCHLER v. FANDUEL, INC., C.A. No. 1:16-00989

## RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned “Reasons Why Oral Argument Should [Need Not] Be Heard” and shall be limited to 2 pages.

(i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

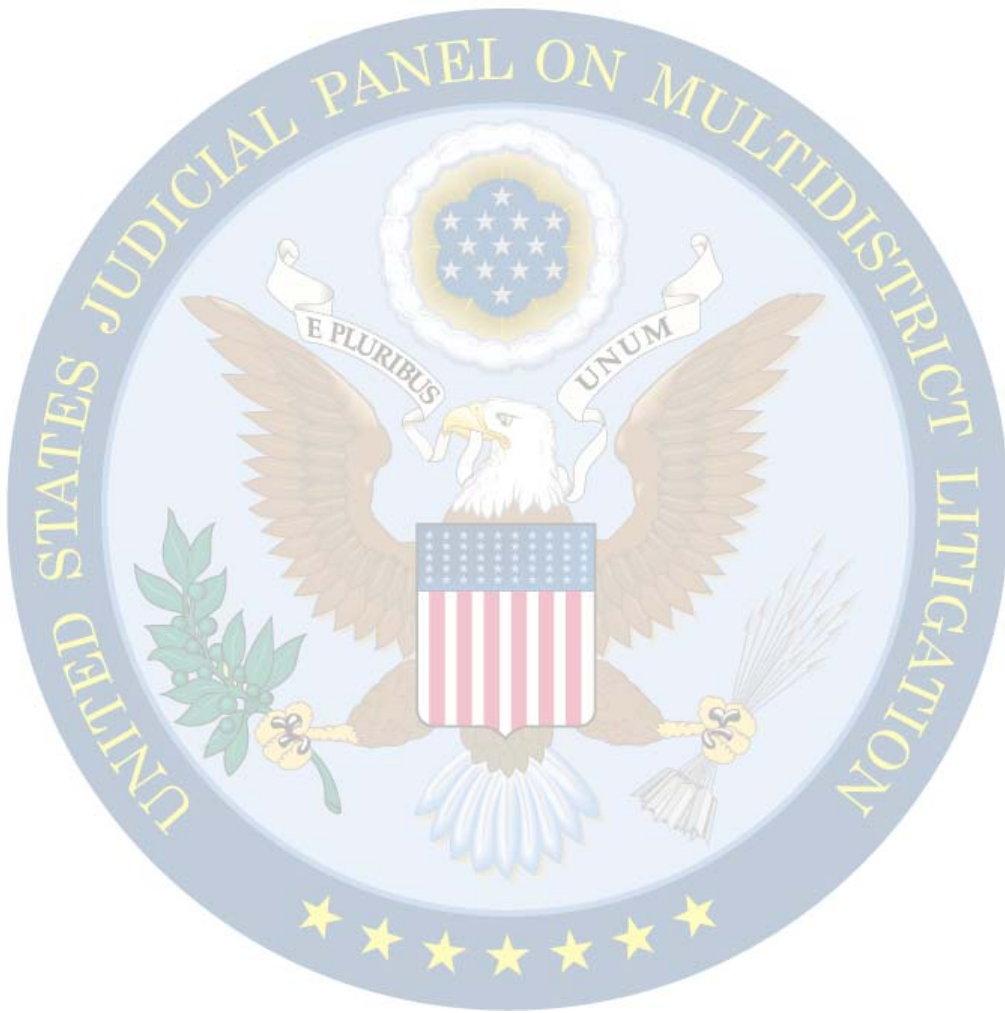
(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.

# Hearing Session Order & Amendments



July 28, 2016

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**NOTICE OF HEARING SESSION**

Pursuant to the order of the United States Judicial Panel on Multidistrict Litigation filed today, notice is hereby given that a hearing session has been scheduled to consider various matters under 28 U.S.C. § 1407.

DATE OF HEARING SESSION: **July 28, 2016**

LOCATION OF HEARING SESSION: United States Courthouse  
Courtroom 18A, 18th Floor  
700 Stewart Street  
Seattle, Washington 98101-1271

TIME OF HEARING SESSION: In those matters designated for oral argument, counsel presenting oral argument must be present at **8:00 a.m.** in order for the Panel to allocate the amount of time for oral argument. Oral argument will commence at **9:30 a.m.**

SCHEDULED MATTERS: Matters scheduled for consideration at this hearing session are listed on the enclosed Hearing Session Order and Schedule of Matters for Hearing Session.

- Section A of this Schedule lists the matters designated for oral argument and includes all actions encompassed by Motion(s) for transfer filed pursuant to Rules 6.1 and 6.2. Any party waiving oral argument pursuant to Rule 11.1(d) need not attend the Hearing Session.
- Section B of this Schedule lists the matters that the Panel has determined to consider **without oral argument**, pursuant to Rule 11.1(c). Parties and counsel involved in these matters need not attend the Hearing Session.

ORAL ARGUMENT: The Panel carefully considers the positions advocated in filings with the Panel when it allocates time to attorneys presenting oral argument. The Panel, therefore, expects attorneys to adhere to those positions (including those concerning an appropriate transferee district). Any change in position should be conveyed to Panel staff before the beginning of oral argument. Where an attorney thereafter advocates a position different from that conveyed to Panel staff, the Panel may reduce the allotted argument time and decline to hear further from that attorney.

- 2 -

For those matters listed on Section A of the Schedule, the "Notice of Presentation or Waiver of Oral Argument" must be filed in this office no later than **July 11, 2016**. The procedures governing Panel oral argument (Panel Rule 11.1) are attached. The Panel strictly adheres to these procedures.

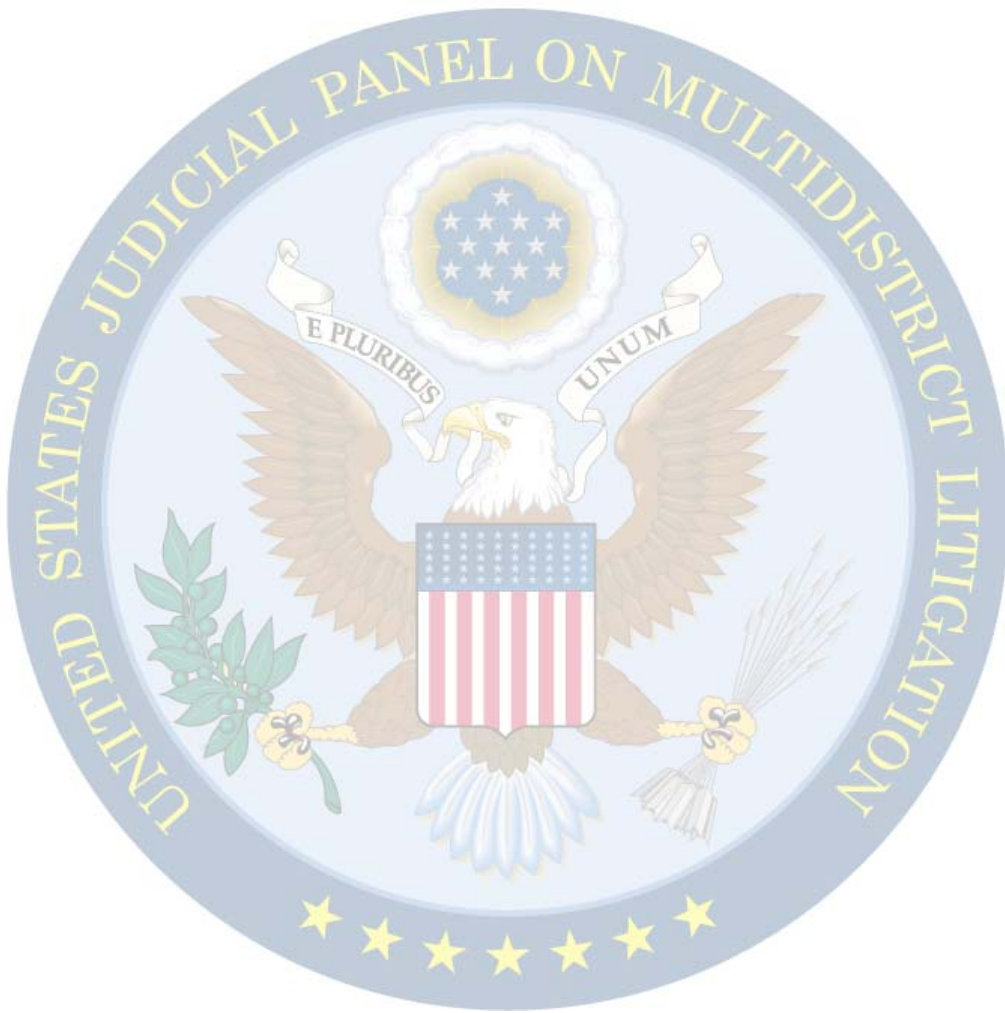
FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

cc: Clerk, United States District for the Western District of Washington

# Hearing Session Order & Amendments



July 28, 2016



UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**HEARING SESSION ORDER**

The Panel issues the following orders in connection with its next hearing session,

IT IS ORDERED that on July 28, 2016, the Panel will convene a hearing session in Seattle, Washington, to consider the matters on the attached Schedule under 28 U.S.C. § 1407.


IT IS FURTHER ORDERED that the Panel may, on its own initiative, consider transfer of any or all of the actions in those matters to any district or districts.

IT IS FURTHER ORDERED that the Panel will hear oral argument on the matters listed on Section A of the attached Schedule, unless the parties waive oral argument or unless the Panel later decides to dispense with oral argument pursuant to Panel Rule 11.1(c).

IT IS FURTHER ORDERED that the Panel will consider without oral argument the matters listed on Section B of the attached Schedule pursuant to Panel Rule 11.1(c). The Panel reserves the prerogative, on any basis including submissions of parties pursuant to Panel Rule 11.1(c), to designate any of those matters for oral argument.

IT IS FURTHER ORDERED that the Clerk of the Judicial Panel on Multidistrict Litigation shall direct notice of this hearing session to counsel for all parties involved in the matters on the attached Schedule.

PANEL ON MULTIDISTRICT LITIGATION

  
\_\_\_\_\_  
Sarah S. Vance  
Chair

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Ellen Segal Huvelle  
Catherine D. Perry

SCHEDULE OF MATTERS FOR HEARING SESSION  
July 28, 2016 -- Seattle, Washington

**SECTION A**  
**MATTERS DESIGNATED FOR ORAL ARGUMENT**

(This schedule contains only those civil actions listed in the Schedule(s) of Actions submitted with the docketed motion(s) for transfer. See Panel Rules 6.1 and 6.2. In the event these dockets are centralized, other actions of which the Panel has been informed may be subject to transfer pursuant to Panel Rule 7.1.)

MDL No. 2719 – **IN RE: THE HONEST COMPANY, INC., SODIUM LAURYL  
SULFATE (SLS) MARKETING AND SALES PRACTICES  
LITIGATION**

Motion of plaintiff Staci Seed to transfer the following actions to the United States  
District Court for the Central District of California:

Central District of California

SEED v. THE HONEST COMPANY, INC., C.A. No. 2:16-01835  
ALHADEFF v. THE HONEST COMPANY, INC., C.A. No. 2:16-02361  
ALIANO, ET AL. v. THE HONEST COMPANY, C.A. No. 2:16-02394  
GOMEZ v. THE HONEST COMPANY, INC., C.A. No. 2:16-02439

Southern District of California

GLOVER v. THE HONEST COMPANY, INC., ET AL., C.A. No. 3:16-00812

Eastern District of Missouri

SMITH v. THE HONEST COMPANY, INC., C.A. No. 4:16-00406

MDL No. 2720 – **IN RE: UNITED HEALTHCARE SERVICES, INC., HARVONI  
(LEDIPASVIR AND SOFOSBUVIR) HEALTH INSURANCE  
LITIGATION**

Motion of defendants United Healthcare Services, Inc.; United Healthcare, Inc.; Neighborhood Health Partnership, Inc.; United Healthcare Life Insurance Co.; UnitedHealth Group, Inc.; Optum, Inc.; OptumRx, Inc.; United Healthcare Insurance Company; United Healthcare of Alabama, Inc.; United Healthcare of Arizona, Inc.; United Healthcare of Arkansas, Inc.; United Healthcare of Colorado, Inc.; United Healthcare of Florida, Inc.; United Healthcare of Georgia, Inc.; UnitedHealthcare of Illinois, Inc.; United Healthcare of Louisiana, Inc.; UnitedHealthcare of the Mid-Atlantic, Inc., United Healthcare of the Midlands, Inc., United Healthcare of the Midwest, Inc.; United Healthcare of Mississippi, Inc.; United Healthcare of Nevada, Inc.; UnitedHealthcare of New Jersey, Inc.; UnitedHealthcare of New York, Inc.; UnitedHealthcare of North Carolina, Inc.; United Healthcare of Tennessee, Inc.; United Healthcare of Texas, Inc.; United Healthcare of Utah; UnitedHealthcare of Wisconsin, Inc.; UnitedHealthcare of New England, Inc.; UnitedHealthcare of Ohio, Inc.; United Healthcare of Oregon, Inc.; United Healthcare of Washington, Inc.; United Healthcare of Kentucky, Ltd.; United Healthcare Insurance Company of Illinois; United Healthcare Insurance Company of New York; and United Healthcare Insurance Company of Ohio to transfer the following actions to the United States District Court for the Southern District of Florida:

Northern District of California

MURPHY v. UNITEDHEALTHCARE INSURANCE COMPANY,  
C.A. No. 5:15-03799

Southern District of Florida

JONES v. UNITEDHEALTH GROUP, INC., ET AL., C.A. No. 0:15-61144

District of Minnesota

PIEPER v. UNITEDHEALTH GROUP INCORPORATED, ET AL.,  
C.A. No. 0:16-00687

MDL No. 2722 – **IN RE: MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,  
PATENT LITIGATION**

Motion of Time Warner Cable Inc.; Time Warner Cable Enterprises LLC; Time Warner Cable Texas LLC; Bright House Networks, LLC; Charter Communications Inc.; ARRIS Group, Inc.; Ubee Interactive, Inc.; and Brocade Communications Systems, Inc., to transfer the following actions to the United States District Court for the District of Delaware:

District of Delaware

ARRIS GROUP, INC. v. MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, C.A. No. 1:16-00259  
UBEE INTERACTIVE, INC. v. MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, C.A. No. 1:16-00260  
BRIGHT HOUSE NETWORKS, LLC v. MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC, C.A. No. 1:16-00277

Eastern District of Texas

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. TIME WARNER CABLE INC., ET AL., C.A. No. 2:16-00007  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. BRIGHT HOUSE NETWORKS, LLC, ET AL., C.A. No. 2:16-00008  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC V CHARTER COMMUNICATIONS, INC., C.A. No. 2:16-00009  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. COX COMMUNICATIONS, INC., C.A. No. 2:16-00010  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. ARUBA NETWORKS, INC., ET AL., C.A. No. 2:16-00012  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. BROCADE COMMUNICATIONS SYSTEMS, INC., C.A. No. 2:16-00013  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. JUNIPER NETWORKS, INC., C.A. No. 2:16-00014  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. RUCKUS WIRELESS, INC., C.A. No. 2:16-00466  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. AEROHIVE NETWORKS, INC., C.A. No. 2:16-00468  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. XIRRUS, INC., C.A. No. 2:16-00471  
MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC v. FIRETIDE, INC., C.A. No. 2:16-00474

**MDL No. 2724 – IN RE: GENERIC DRUG PRICING ANTITRUST LITIGATION**

Motion of plaintiffs International Union of Operating Engineers Local 30 Benefits Fund, NECA-IBEW Welfare Trust Fund, Tulsa Firefighters Health & Welfare Trust, Twin Cities Pipe Trades Welfare Fund, Edward Carpinelli, Fraternal Order of Police, Miami Lodge 20 Insurance Trust Fund, Nina Diamond, UFCW Local 1500 Welfare Fund, and Minnesota Laborers Health and Welfare Fund to transfer the following actions to the United States District Court for the Eastern District of Pennsylvania:

Eastern District of Pennsylvania

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 30 BENEFITS  
FUND v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-00990  
NECA-IBEW WELFARE TRUST FUND v. ALLERGAN PLC, ET AL.,  
C.A. No. 2:16-01371  
TULSA FIREFIGHTERS HEALTH AND WELFARE TRUST v. ALLERGAN PLC,  
ET AL., C.A. No. 2:16-01388  
PIPE TRADES SERVICES MN v. LANNETT COMPANY, INC., ET AL.,  
C.A. No. 2:16-01534  
CARPINELLI v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-01954  
FRATERNAL ORDER OF POLICE, MIAMI LODGE 20, INSURANCE TRUST  
FUND v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-02031  
DIAMOND v. LANNETT COMPANY, INC., ET AL., C.A. No. 2:16-02077  
UFCW LOCAL 1500 WELFARE FUND v. ALLERGAN PLC, ET AL.,  
C.A. No. 2:16-02169  
MINNESOTA LABORERS HEALTH AND WELFARE FUND v. LANNETT  
COMPANY, INC., ET AL., C.A. No. 2:16-02191

District of Rhode Island

CITY OF PROVIDENCE v. ALLERGAN PLC, ET AL., C.A. No. 1:16-00214

**MDL No. 2725 – IN RE: STARBUCKS CORPORATION MARKETING AND SALES  
PRACTICES LITIGATION**

Motion of defendant Starbucks Corporation to transfer the following actions to the United States District Court for the Western District of Washington:

Northern District of California

STRUMLAUF, ET AL. v. STARBUCKS CORPORATION, C.A. No. 3:16-01306

Northern District of Illinois

PINCUS v. STARBUCKS CORPORATION, C.A. No. 1:16-04705

Southern District of New York

CRITTENDEN v. STARBUCKS CORPORATION, C.A. No. 1:16-03496

MDL No. 2726 – **IN RE: MERCY HEALTH EMPLOYEE RETIREMENT INCOME  
SECURITY ACT (ERISA) LITIGATION**

Motion of defendants Mercy Health, Mercy Health Benefits Committee, and Mercy Health Stewardship Committee to transfer the following actions to the United States District Court for the Eastern District of Missouri:

Eastern District of Missouri

GRASLE v. MERCY HEALTH, ET AL., C.A. No. 4:16-00651

Western District of Oklahoma

SANZONE, ET AL. v. MERCY HEALTH, ET AL., C.A. No. 5:16-00478

MDL No. 2727 – **IN RE: 3M COMPANY LAVA ULTIMATE PRODUCTS LIABILITY  
LITIGATION**

Motion of plaintiffs Vikram Bhatia, D.D.S., et al., to transfer the following actions to the United States District Court for the District of Minnesota:

Southern District of Florida

LAZARO FERNANDEZ, DDS, P.A. v. 3M COMPANY, C.A. No. 1:16-21490

District of Minnesota

BHATIA, ET AL. v. 3M COMPANY, C.A. No. 0:16-01304

MDL No. 2728 – **IN RE: PETROBRAS SECURITIES LITIGATION**

Motion of defendants Petróleo Brasileiro S.A. – Petrobras, Petrobras Global Finance B.V., and Petrobras International Finance Company S.A. to transfer the following actions to the United States District Court for the Southern District of New York:

Southern District of New York

PACIFIC FUNDS, ET AL. v. PETROLEO BRASILEIRO S.A., ET AL.,  
C.A. No. 1:16-02013  
ALTAMIMI v. PETROLEO BRASILEIRO S.A.–PETROBRAS, ET AL.,  
C.A. No. 1:16-02686

Eastern District of Pennsylvania

VANGUARD INTERNATIONAL EQUITY INDEX FUND, ET AL. v. PETROLEO  
BRASILEIRO S.A.–PETROBRAS, ET AL., C.A. No. 2:15-06283

MDL No. 2729 – **IN RE: BMW I3 WITH RANGE EXTENDER MARKETING, SALES  
PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Motion of plaintiffs Dean Rollolazo, et al., to transfer the following actions to the United States District Court for the Central District of California:

Central District of California

TSOAR v. BMW OF NORTH AMERICA, LLC, ET AL., C.A. No. 2:16-03386  
ROLLOLAZO, ET AL. v. BMW OF NORTH AMERICA, LLC, ET AL.,  
C.A. No. 8:16-00966

District of New Jersey

GREEN v. BMW OF NORTH AMERICA, LLC, ET AL., C.A. No. 2:16-03065

MDL No. 2730 – **IN RE: JAY PEAK, VERMONT, EB-5 INVESTOR LITIGATION**

Motion of plaintiffs James B. Shaw, et al., to transfer the following actions to the United States District Court for the District of Vermont:

Southern District of Florida

DACCACHE v. RAYMOND JAMES FINANCIAL, INC., ET AL.,

C.A. No. 1:16-21575

HILLER SANCHEZ v. RAYMOND JAMES & ASSOCIATES, INC., ET AL.,

C.A. No. 1:16-21643

District of Vermont

SHAW, ET AL. v. RAYMOND JAMES FINANCIAL, INC., ET AL.,

C.A. No. 5:16-00129



**SECTION B**  
**MATTERS DESIGNATED FOR CONSIDERATION WITHOUT ORAL ARGUMENT**

**MDL No. 1880 – IN RE: PAPST LICENSING DIGITAL CAMERA PATENT  
LITIGATION**

Motion of defendant ZTE (USA), Inc., to transfer the following action to the United States District Court for the District of Columbia:

Eastern District of Texas

PAPST LICENSING GMBH & CO., KG v. ZTE CORPORATION, ET AL.,  
C.A. No. 6:15–01100

**MDL No. 2158 – IN RE: ZIMMER DUROM HIP CUP PRODUCTS LIABILITY  
LITIGATION**

Opposition of plaintiff Dennis Douglas to transfer of the following action to the United States District Court for the District of New Jersey:

Northern District of Illinois

DOUGLAS v. ZIMMER US, INC., ET AL., C.A. No. 1:16–04722

**MDL No. 2272 – IN RE: ZIMMER NEXGEN KNEE IMPLANT PRODUCTS LIABILITY  
LITIGATION**

Opposition of plaintiff Ernie Lee Calbart to transfer of the following action to the United States District Court for the Northern District of Illinois:

District of Colorado

CALBART v. ZIMMER, INC., ET AL., C.A. No. 1:16–00210

MDL No. 2295 – **IN RE: PORTFOLIO RECOVERY ASSOCIATES, LLC, TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Scott C. Pillar to transfer of the following action to the United States District Court for the Southern District of California:

Middle District of Florida

PILLER v. PORTFOLIO RECOVERY ASSOCIATES, LLC, C.A. No. 2:16-00124

MDL No. 2323 – **IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION**

Opposition of plaintiff Chelesa C. Oliver to transfer of the following action to the United States District Court for the Eastern District of Pennsylvania:

Northern District of Illinois

OLIVER v. RIDDELL, INC., ET AL., C.A. No. 1:16-04760

MDL No. 2326 – **IN RE: BOSTON SCIENTIFIC CORP. PELVIC REPAIR SYSTEM  
PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs Tamara Stokely, et al., to transfer of the following action to the United States District Court for the Southern District of West Virginia:

Eastern District of Texas

STOKELY, ET AL. v. CUNNINGHAM, ET AL., C.A. No. 1:16-00139

MDL No. 2493 – **IN RE: MONITRONICS INTERNATIONAL, INC., TELEPHONE  
CONSUMER PROTECTION ACT (TCPA) LITIGATION**

Opposition of plaintiff Michael C. Worsham to transfer of the following action to the United States District Court for the Northern District of West Virginia:

District of Maryland

WORSHAM v. ALLIANCE SECURITY, INC., ET AL., C.A. No. 1:16-01285

MDL No. 2591 – **IN RE: SYNGENTA AG MIR162 CORN LITIGATION**

Opposition of plaintiffs Leroy Tweet, et al., to transfer of the following action to the United States District Court for the District of Kansas:

Southern District of Illinois

TWEET, ET AL. v. SYNGENTA AG, ET AL., C.A. No. 3:16–00255

MDL No. 2592 – **IN RE: XARELTO (RIVAROXABAN) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiffs James Rogers, et al., to transfer of the following action to the United States District Court for the Eastern District of Louisiana:

Eastern District of Missouri

ROGERS, ET AL. v. JANSSEN RESEARCH & DEVELOPMENT, LLC, ET AL.,  
C.A. No. 4:16–00484

MDL No. 2657 – **IN RE: ZOFRAN (ONDANSETRON) PRODUCTS LIABILITY LITIGATION**

Opposition of plaintiff Julie Burnett to transfer of the following action to the United States District Court for the District of Massachusetts:

District of Minnesota

BURNETT v. GLAXOSMITHKLINE LLC., ET AL., C.A. No. 0:16–01137

MDL No. 2672 – **IN RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION**

Oppositions of plaintiffs to transfer of their respective following actions to the United States District Court for the Northern District of California:

Middle District of Alabama

THREADGILL v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 2:16–00223

Northern District of Alabama

POUNDS v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 2:16-00561  
HESS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,

C.A. No. 2:16-00668

HYCHE v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 6:16-00560

District of Arizona

BRNOVICH v. VOLKSWAGEN AG, ET AL., C.A. No. 2:16-01426

Central District of California

WHALEN, ET AL. v. VENTURA VOLKSWAGEN, ET AL., C.A. No. 2:16-03074  
WILKIE, ET AL. v. VOLKSWAGEN OF DOWNTOWN LOS ANGELES, ET AL.,

C.A. No. 2:16-03087

KESSLER, ET AL. v. VENTURA VOLKSWAGEN, ET AL., C.A. No. 2:16-03161

MORAN, ET AL. v. PARKWAY VOLKSWAGEN, ET AL., C.A. No. 2:16-03162

PEJMAN, ET AL. v. LIVINGSTON VOLKSWAGEN, ET AL., C.A. No. 2:16-03163

MILLER, ET AL. v. CARDINALEWAY VOLKSWAGEN, ET AL.,

C.A. No. 5:16-00933

STEVENS, ET AL. v. MOSS BROS VOLKSWAGEN, ET AL., C.A. No. 5:16-00934

Eastern District of California

ALVARADO, ET AL. v. LASHER AUTO GROUP, ET AL., C.A. No. 2:16-00979

Southern District of California

HOWE, ET AL. v. MOSSY VOLKSWAGEN OF ESCONDIDO, ET AL.,

C.A. No. 3:16-00988

CREIGHTON, ET AL. v. AUDI OF SAN DIEGO, ET AL., C.A. No. 3:16-01058

URIE, ET AL. v. BOB BAKER VOLKSWAGEN SUBARU, ET AL.,

C.A. No. 3:16-01089

District of Colorado

JAMES v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,

C.A. No. 1:16-01192

BURKHALTER v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,

C.A. No. 1:16-01193

LEHMANN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,

C.A. No. 1:16-01194

JAMISON v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01195  
MENA v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01196  
MOOREHOUSE v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01198  
JOHNSON v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01199  
DERMODY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01200  
RIVERA v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01201  
SONDERS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01203  
KECK v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01204  
GLADBACH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01205  
JACOBSON v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01207  
REILLY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01209  
PAGUYO v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-01212

Middle District of Florida

BOTTIGLIERI v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 8:16-00774  
BRASWELL, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 8:16-00860  
DEROCHEMONT v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 8:16-01139

Southern District of Florida

BORROTO v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 1:16-21433

Northern District of Georgia

REED, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-01388

District of Kansas

BUSTAMANTE, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:16-02259

Eastern District of Kentucky

BESHEAR v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 3:16-00027

Eastern District of Louisiana

MCGOWAN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 2:16-02974

District of Maryland

WIRIG v. VOLKSWAGEN AG, ET AL., C.A. No. 1:16-01120  
AZRAEL, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-01366  
LEID v. VOLKSWAGEN AG, ET AL., C.A. No. 1:16-01577

District of Minnesota

NOUBLEAU, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 0:16-01079  
DOSER v. VOLKSWAGEN GROUP OF AMERICA, INC., C.A. No. 0:16-01157  
LYNCH v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01212  
MURRAY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01215  
NEWGREN v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01231  
OWENS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01245  
PERENDY v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01247  
SCHRUPP v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01255  
VERSCHOOR v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01256  
WEISS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 0:16-01308

Eastern District of Missouri

HARRIS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 4:16-00464  
LAFOY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 4:16-00466  
REHDER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 4:16-00467  
RECTOR, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 4:16-00470  
WIETHUCHTER, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 4:16-00471

Middle District of North Carolina

WILKINS, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-00366  
STEFFY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-00466

Western District of Texas

CARDENAS v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-00555  
ARTHUR, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-00568  
ZELAZNY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC., ET AL.,  
C.A. No. 1:16-00591  
KENNEDY, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-00606  
ALLART, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-00616  
KINCANNON v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 1:16-00617

Eastern District of Washington

AMBUTE, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 2:16-00159

Western District of Washington

DEINES, ET AL. v. VOLKSWAGEN GROUP OF AMERICA, INC.,  
C.A. No. 2:16-00703

Southern District of West Virginia

MORRIS v. NEALE, ET AL., C.A. No. 2:16-02847

MDL No. 2677 – **IN RE: DAILY FANTASY SPORTS LITIGATION**

Opposition of plaintiff Erica Miller to transfer of the following action to the United States District Court for the District of Massachusetts:

Eastern District of Tennessee

MILLER, ET AL. v. DRAFTKINGS, INC., C.A. No. 2:16-00103



## RULE 11.1: HEARING SESSIONS AND ORAL ARGUMENT

(a) Schedule. The Panel shall schedule sessions for oral argument and consideration of other matters as desirable or necessary. The Chair shall determine the time, place and agenda for each hearing session. The Clerk of the Panel shall give appropriate notice to counsel for all parties. The Panel may continue its consideration of any scheduled matters.

(b) Oral Argument Statement. Any party affected by a motion may file a separate statement setting forth reasons why oral argument should, or need not, be heard. Such statements shall be captioned “Reasons Why Oral Argument Should [Need Not] Be Heard” and shall be limited to 2 pages.

- (i) The parties affected by a motion to transfer may agree to waive oral argument. The Panel will take this into consideration in determining the need for oral argument.

(c) Hearing Session. The Panel shall not consider transfer or remand of any action pending in a federal district court when any party timely opposes such transfer or remand without first holding a hearing session for the presentation of oral argument. The Panel may dispense with oral argument if it determines that:

- (i) the dispositive issue(s) have been authoritatively decided; or
- (ii) the facts and legal arguments are adequately presented and oral argument would not significantly aid the decisional process.

Unless otherwise ordered, the Panel shall consider all other matters, such as a motion for reconsideration, upon the basis of the pleadings.

(d) Notification of Oral Argument. The Panel shall promptly notify counsel of those matters in which oral argument is scheduled, as well as those matters that the Panel will consider on the pleadings. The Clerk of the Panel shall require counsel to file and serve notice of their intent to either make or waive oral argument. Failure to do so shall be deemed a waiver of oral argument. If counsel does not attend oral argument, the matter shall not be rescheduled and that party’s position shall be treated as submitted for decision on the basis of the pleadings filed.

- (i) Absent Panel approval and for good cause shown, only those parties to actions who have filed a motion or written response to a motion or order shall be permitted to present oral argument.
- (ii) The Panel will not receive oral testimony except upon notice, motion and an order expressly providing for it.

(e) Duty to Confer. Counsel in an action set for oral argument shall confer separately prior to that argument for the purpose of organizing their arguments and selecting representatives to present all views without duplication. Oral argument is a means for counsel to emphasize the key points of their arguments, and to update the Panel on any events since the conclusion of briefing.

(f) Time Limit for Oral Argument. Barring exceptional circumstances, the Panel shall allot a maximum of 20 minutes for oral argument in each matter. The time shall be divided among those with varying viewpoints. Counsel for the moving party or parties shall generally be heard first.